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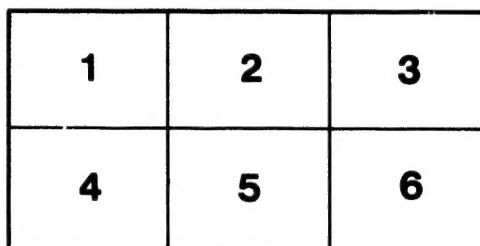
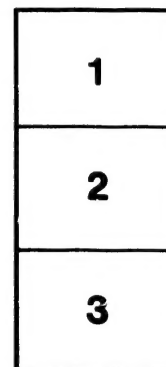
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BATTLE OF LAKE ERIE

WITH NOTICES OF

COMMODORE ELLIOT'S CONDUCT

IN THAT ENGAGEMENT.

BY HON. TRISTAM BURGESS.

PHILADELPHIA :
WM. MARSHALL & CO.
1839.

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P R E F A C E.

IN the winter of 1836, a course of lectures was read in the city of Providence, before the Historical Society of Rhode-Island. The early history of the State was a general theme, and, among other things, the maritime affairs of our little Commonwealth were deemed worthy of attention.

The writer of the following Lecture, collected the materials, arranged most of the lectures, and wrote several of them, for an entire course, on this part of our history. These were intended to have been read before the Society, after the general course was terminated ; but this was, for a sufficient reason,

then omitted, and it is not now probable that it will ever be done. The lecture on the fleet and battle of Erie, was the only one of the course then read.

It will be remembered, that not long before that time, he, who, at the beginning of that battle, commanded the Niagara, had publicly set up a claim to the whole glory of its successful termination. This was, doubtless, one reason why the printing of the following lecture was then requested, both by the Society, and by individuals, who regarded the achievements of the distinguished commander of that fleet, as a heritage of glory, to be cherished, and preserved, by the whole nation. A copy was not then furnished, because it was believed that the gentleman, who had been appointed by the General Assembly of Rhode-Island, to write the biography of Commodore Perry, would soon finish, and publish that work. This would supersede all necessity for printing this lecture.

The delay of that publication, and another event of a public character, have induced the writer of the lecture, at the anxious request

of the family and friends of Commodore Perry, to furnish a copy of it for the press.

In doing this, it has been thought appropriate to give the reasons which induced the writer to regard the fleet and battle of Erie, as a part of the maritime affairs of Rhode-Island.

At the commencement of the revolution, it is believed that the people of Rhode-Island were, in their maritime character, much in advance of any other of the Colonies. They had more nautical men fit to command, and more vessels fit for public service, than any other. The idea of a national fleet was first conceived in Rhode-Island. Of this, ample proof shall be furnished.

At the August session, holden at East-Greenwich, Anno Salvatoris Nostrorum, 1775, the General Assembly of Rhode-Island made the first movement ever made, on this side of the Atlantic, to build, and establish a national fleet. It will be found in their own words, at page 103-4 of their journal; and as no other words can be so apposite to their meaning, they will be quoted here just as they stand on their record.

“Whereas, notwithstanding the humble and dutiful petition of Congress to the King, and other wise and pacific measures, taken for obtaining a happy reconciliation between Great Britain and the Colonies ; the Ministers, lost to every sentiment of justice, liberty, and humanity, continue to send troops and ships of war into America, which destroy our trade, plunder and burn our towns, and murder the good people of these Colonies :

It is, therefore, Voted and Resolved, that this Colony most ardently wish to see the former friendship, harmony, and intercourse, between Britain and these Colonies, restored, and a happy, and lasting connexion established between both countries upon terms of just and equal liberty ; and will concur with other colonies in all proper, and necessary measures for obtaining these desirable blessings ; and as every principle, divine and human, requires us to obey that great and fundamental law of nature, self-preservation, until peace shall be restored upon constitutional principles ; this colony will most heartily exert the whole power of Government, in

conjunction with other colonies, for carrying on this just and necessary war, and bringing the same to a happy issue : and among other measures for obtaining this most desirable purpose, this Assembly is persuaded that the building and equipping an American fleet, as soon as possible, would greatly and essentially conduce to the preservation of the lives, liberty and property of the good people of these Colonies ; and, therefore, instruct their delegates to use their whole influence, at the ensuing Congress, for building, at the Continental expense, a fleet of sufficient force for the protection of these Colonies, and for employing them in such manner and places, as will most annoy our enemies, and contribute to the common defence of these Colonies : and they are also instructed to use all their influence for carrying on the war in the most vigorous manner until peace, liberty, and safety be restored and secured to these colonies upon an equitable and permanent basis."

That Congress to which Stephen Hopkins and Samuel Ward had been elected delegates, assembled at Philadelphia, on Wednesday, the

5th day of September, 1775. A quorum not attending on that day, they adjourned from day to day, until the 13th of that month. It is not known on what day the Rhode-Island delegates took their seats in that Congress ; but, as it appears by the journal, vol. 1, page 147, "Tuesday, October 3d, one of the delegates from Rhode-Island laid before Congress a part of the instructions given them by their two Houses of Legislature, on the 26th of August last." These are, verbatim, the words of the Congressional record.

These instructions are the first intimations, on the records of Congress, of any movement on the subject of a continental fleet. They were the germ of our United States navy. That germ was planted in the maritime soil of Rhode-Island. It has flourished ; and its branches now reach every sea, every ocean ; and the glory of our country sets in safety under their shade.

Who, in our State, or our Assembly, first intimated the building of a national fleet, cannot now be known. There is no record of his name. It might be George Champlin, or Wil-

liam Bradford, or John Brown, or Welcome Arnold. It was for our country a glorious conception; and twin-brother to the bright idea of Themistocles, who taught the Athenians that the wooden walls of the Delphic Oracle, were that national navy with which they destroyed, or dispersed, the fleet of Xerxes, and secured the liberties of the Grecian States.

It is true, our literature has hitherto been silent concerning our own achievements, and but for this humble effort, the facts, now stated, would have been left rusting in our records like a sword in the scabbard, until drawn out and held up to the world by men of other States.

It is remarked by historians, that the Spartans satisfied themselves by *doing* gallant deeds; while the Athenians not only knew how to perform, but also how to celebrate heroic exploits.

What Decatur said of Lawrence, might be said of Rhode-Island. "The young fellow," exclaimed the hero of Tripoli, "has not much talk for himself; but there is no more dodge in him than there is in the main-mast."

On the 25th of November, 1775, Congress took into consideration the rules and orders for the fleet of the United Colonies. On Tuesday, the 28th, they were debated, paragraph by paragraph, and finally agreed to and settled. December 22d, the committee for engaging armed vessels, reported that they had engaged four, viz. :

The Columbus, Abraham Whipple, Captain ; the Alfred Dudley, Saltonstall, Captain ; the Andrew Dorea, James Biddle, Captain ; the Cabbott, John Burroughs Hopkins, Captain. That they had appointed Esek Hopkins commodore of the fleet. That they had appointed John Paul Jones, Rhodes Arnold, Haysted Harker, Jonathan Pitcher, and — Stanbury, first Lieutenants ; and Benjamin Seabury, Joseph Olney, Elisha Weaver, Thomas Weaver, and — M'Dougal, second Lieutenants.

This is the first American fleet which ever hoisted sail to the winds of heaven. The project of such a fleet was first proposed by the General Assembly of Rhode-Island. It was laid before Congress by the delegates from Rhode-Island ; as, I believe, Rhode-Island fur-

nished two of the ships—and, we all know that Rhode-Island furnished the Commodore of the fleet ; two of the Captains ; three of the first, and four of the second Lieutenants ; and in all probability, most, if not all the other officers and men for at least two of the ships.

This report was received and established ; and Commodore Hopkins, with the fleet under his command, was ordered to proceed to the Bahama Islands, and capture the warlike stores of Great Britain deposited at New Providence ; and then to cruise on the coast of the Carolinas, and intercept the British vessels found in those waters.

The first of these orders was fulfilled to the letter. For the Commodore more than loaded his fleet with those stores ; and was obliged to impress one of the colonial vessels to aid in bringing away the captured cannon and munitions of war. It is believed he sailed from the United Colonies early in February, 1776 ; for on the 3d of March, of that year, he captured the fort at New Providence.

After this success, his fleet being deeply laden with stores so highly important to the

Colonies, he, to secure these valuable stores, returned directly, and unladed them at New-London.

Sir Peter Parker was, at the same time, approaching Charleston, S. C., with a powerful British fleet. He made his attack on that place, June 17th, 1776 ; and had Commodore Hopkins cruised on that coast, he must have, in all probability, met the English fleet of much greater force than his own, and nothing short of a miracle could have saved his fleet with all their stores, from capture and entire loss.

On the 19th of August, 1776, Commodore Hopkins was ordered by Congress to join the fleet. In the following November, the rank and pay of naval officers were raised, and a bounty given on captured guns.

The ranks, above Captain, were Admiral, Vice-Admiral, Rear-Admiral, and Commodore. Esek Hopkins, of North-Providence, in the State of Rhode-Island, was the first, and the only American, who, in an American fleet, bore the title of Admiral.

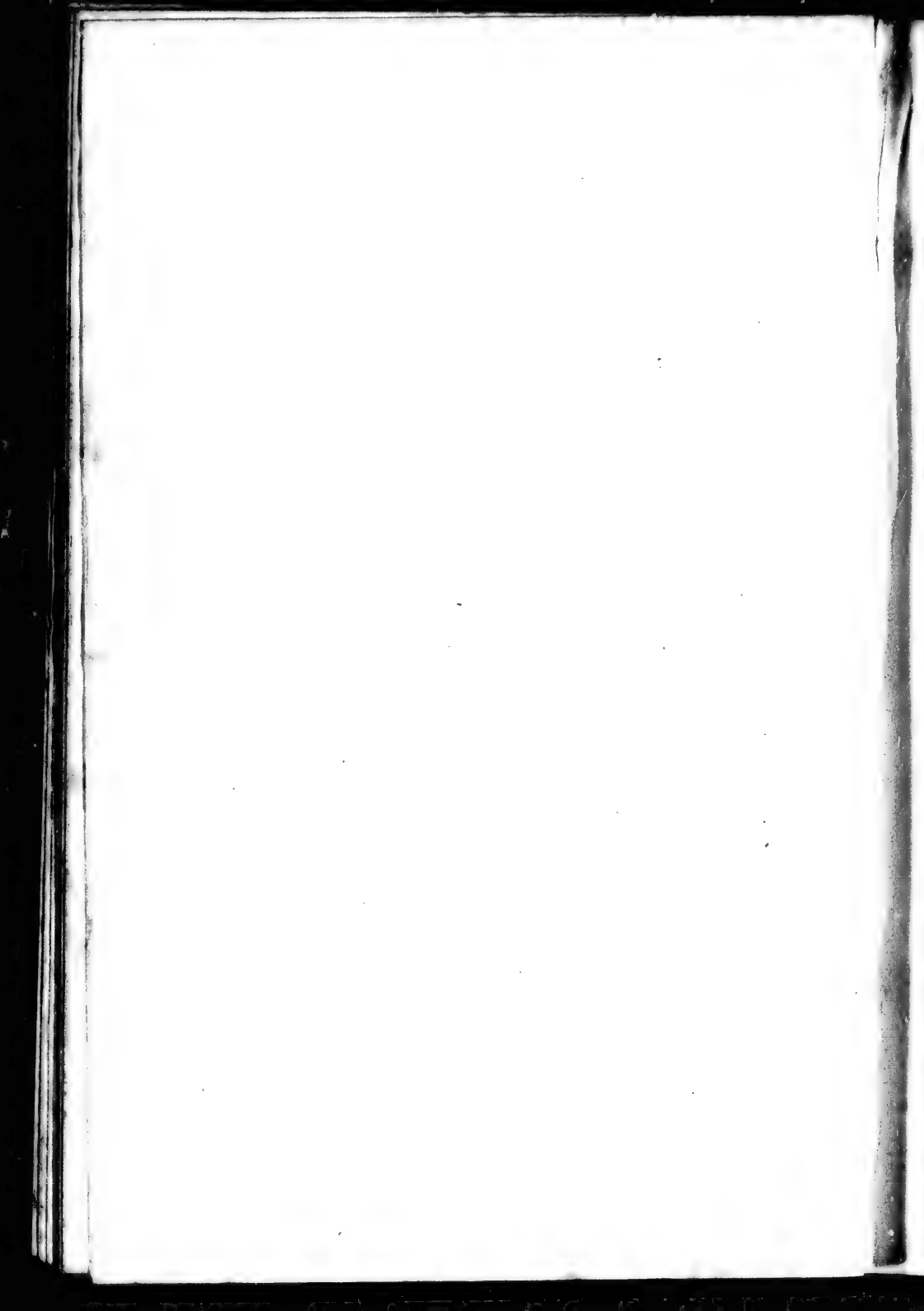
These facts prove, that, at the commencement of the Revolution, the people of Rhode-

Island were in advance of the other colonies, in skill and enterprise in naval affairs. They also prove, that the American navy, which bears over the ocean, and in view of all nations, the power of our country, was originated in Rhode-Island.

When these things are considered, and it is called to mind that Commodore Perry was a native of Rhode-Island, and that he carried with him from that State up to the lake, those men, who, under his direction, with the aid of a few others, built and equipped that fleet, which, under his command, subdued the enemy on those waters, it is not too much to regard this distinguished enterprise as a part of the maritime affairs of Rhode-Island. Be this as it may, the achievement was glorious for our country, and no manner of considering it can diminish its merits or tarnish its splendor.

Nothing more is claimed for the Lecture than what may be due to a plain and true account of the fleet and battle, drawn from a faithful examination of all the evidence in the case.

Providence, August, A. D. 1839.



LECTURE.

It is the purpose of the present lecture to give a concise narrative of the fleet and battle on Lake Erie.

In the summer of 1812, OLIVER HAZARD PERRY, of Rhode-Island, a young man, Captain in the United States Navy, was commander of a flotilla of gun-boats, which,—as Burke says of chivalry, had been deemed in our country the cheap defence of nations,—collected for the protection of the waters of our coast, from Newport to New York.

In the winter of 1812-13, he was ordered to Lake Erie, to take the command, and provide a fleet for that station. The enemy had then,

on those waters, two ships, two brigs, and several schooners and sloops, in all, mounting more than sixty-four guns. The Americans had the Caledonia, a brig, afterwards mounting three guns, and two or three unarmed small schooners or sloops. The British had, by land as well as by water, the entire command of that lake ; and the frontier, bordering upon it, was at the mercy of General Proctor and his savage allies.

Commodore Perry arrived at Erie on the 26th of March, 1813. He carried with him from Newport, 149 men and 3 boys, all of whom were volunteers. Some were commissioned officers, some warrant officers, some artificers, some seamen, and some ordinary seamen. About one third of the petty officers and men remained at Sackett's Harbor, for service on Lake Ontario. This was done by the order of Commodore Chauncey, the commander on that lake. It greatly retarded the operations of Perry on lake Erie ; and was, doubtless, intended by Chauncey to have that effect. They had left Newport, February 19th, with Perry,

and had volunteered from pure personal attachment to him.

Nothing can show this attachment to Perry more strongly than the fact, that James Weaver, a master's mate, who, a boy, when Barton captured Prescott, was then his guide, now volunteered to go to Erie with his gallant young townsman, in the dead of winter, to this unknown northern service.

The fleet of Eneas, so Maro sings, when riding at anchor in the Tyber, and, in his absence attacked by the Rutulians, and likely to be burned, was, by a miracle of poetic mythology, changed into a shoal of dolphins, and went off sporting down the stream ; and if so, they may, for aught we know, be at this time playing about the mouth of that river ; or shewing their bright sides to the sun, in other parts of the Tyrean sea.

Perry, and his hardy Rhode-Island mariners, travelled up to the lake, for something not quite so poetic.

They were required to change the oaks, and the green pines and hemlocks, then standing on those shores, into a fleet of ships and ves-

sels, and fit them out to encounter, and overcome, in battle, on those waters, a fleet then armed, equipped and manned with British sailors ; men, who had never, before that time, met an equal, in any fleet, on that element.

In this there was no poetry, nor any other miracle than bone labor, matchless skill, and unconquerable bravery.

Every Yankee is an axe man ; and all the companions of Perry were of the full blood ; and most of them the best of that blood, the Rhode-Island stock.

These, with a few more shipwrights, smiths, caulkers, riggers, and sailmakers, built and equipped this fleet ; and launched the whole into the harbor of Erie, rigged and ready to sail, in about ninety days, after the first blow was struck.

They built from the stump, six vessels ; the Lawrence, of twenty guns—two long twelves, and eighteen 24 pound carronades ; the Niagara, of two long twelves, and eighteen 24 pound carronades ; the Ariel, of four guns, 18's and 24's ; the Scorpion, of two guns, thirty-

twos ; the Porcupine, of one gun, a thirty-two ; and the Tigress, of one gun, a thirty-two.

During the same time, they repaired and made efficient, the Caledonia, of three guns, 24's and 32's ; the Somers, of two guns, thirty-twos ; the Trippe, of one gun, a thirty-two, and the Ohio, of like force, but not in the battle.

At the mouth of the harbor of Erie, there is a bar ; and on this, the water was then so shallow, that the vessels could not be floated out over it. They had been built in this place, because, in no other on the lake, could they be secure from the enemy.

To carry them out over the bar, in the face of this enemy, superior in force, had they all been furnished with guns, and, as it must be, entirely unarmed, was a labor, which tasked the Yankee invention, no less than the valor, of the young Commodore and his associates.

They were loaded on the backs of camels, and carried out over the bar into deep water. An Arab, who, from the back of his camel, on the desert, had, at a safe distance, looked at

the French and English fleets, in the bay of Abouker, would not believe a word of all this story.

~~was~~ It is literally true. These camels were of simple mechanism, and American manufacture. They were long, broad, deep boxes, made of planks, like scows, and perfectly water tight; with holes to fill, and sink, and pumps to exhaust them of water, and raise them so as to float with their upper edge high above the surface. These, placed on each side, and connected by strong beams, on which the vessels being placed when they were sunk; thus raised the vessels up above the bar, when the camels were pumped out, and rose again by their own buoyancy.

The guns of the fleet had been mounted in batteries on the shore; and the militia, under General Mead, then encamped in the neighborhood, were embodied, and united with the seamen in defending these vessels, while they were thus travelling over the bar, on the backs of these able bodied camels.

Thus, in the face of an enemy, superior in force, this fleet was built, put afloat, and

equipped. The enemy, however, before they were ready to make sail, withdrew to the harbor near Malden ; and retired under the guns of the British fortress.

The American fleet, when ready for sailing, consisted of the Lawrence, the flag vessel of Commodore Perry ; the Niagara, afterwards Captain Elliott ; the Caledonia, Lieutenant Turner ; the Ariel, Lieutenant Packett ; the Scorpion, Sailing-Master Champlin ; the Somers, Sailing-Master Almy ; the Trippe, Lieutenant Stevens ; the Tigress, Lieutenant Conklin ; the Porcupine, Midshipman Smith. The Ohio had sailed down the lake, on other service, before the 10th of September, and was not in the battle.

These nine vessels, mounted, in all, fifty-four guns ; ten less than the British fleet. The Lawrence, the Niagara, the Caledonia, the Ariel, and the Scorpion, were all equally good and fine sailers ; but the Somers, Trippe, Tigress, and Porcupine, were dull.

The British vessels were stout built, with thick bulwarks of solid oak ; but the American were built in a hasty manner, and intend-

ed merely to carry guns and men ; and bring them down along side of their adversary.

So soon as Perry had mounted his guns on board, he pushed out on a cruise ; but manned in a considerable part by brave fellows from the militia. They run up, and over the lake, to the British side, and passed their fleet, then in port, but no movement being made by the enemy to come out, and capture the Americans, they leisurely sailed down the lake, and then up again to their port, at Put-in-Bay.

At the pressing request of Perry, Commodore Chauncey sent him one hundred men, up from Ontario, under the command of Captain Elliot. He took the command of the Niagara, before commanded by Lieutenant Turner, of Newport. The one hundred men, brought with him, were all able bodied, and had been in considerable service, on the waters of Ontario and Erie. Most of these went on board the Niagara, with Elliot. This gave that vessel a decided superiority, in that respect, to any other in the fleet.

In model, in equipment, in rigging, sails and movement, she was, before that, on a par

with the Lawrence ; and these men having been in more service, more brave they could not be, gave the Niagara a decided superiority in that respect, to the Lawrence.

Lieutenant Turner mentioned this to Commodore Perry, when Elliot was calling the men who came with him, to their several stations ; but because Elliot had brought them up to Erie with him, the Commodore declined altering his arrangement.

The deficiency of men in the fleet, was supplied by brave fellows, volunteering from the ranks of General Harrison's army.

This army was then encamped in the neighborhood of the fleet ; and waiting the event of the battle, which, it was believed, would enable the Commodore to transport the General and his troops, to the other side, to encounter General Proctor, and the British forces then near Malden.

The Americans were eager to engage, and open the way into Canada. General Harrison and his brave companions, were anxious to have an opportunity to wash off in their own blood, the foul blot, placed on the American

character, by the retreat, and surrender of Malden and Detroit; and by driving the British and their Indian allies, from Upper Canada, to secure the frontiers of Michigan, Ohio, Pennsylvania and New-York.

How long the British fleet might have kept their shelter, in the harbor of Malden, is not known. Exigencies called them out; the want of provision, in the British army, compelled them to put out, and attempt to clear the lake of the American fleet; so that they might, with safety, run down to Long Point, their depot of stores, and provision the camp.

The British fleet had a *veteran* commander, the American, a *young* sailor. Barclay had *conquered* with *Nelson*, at *Traffalgar*; Perry had probably *never seen* the combined movement of ships, in a fleet, formed in line of battle.

The two fleets might be equal in number of men; but all, in the British, were seamen, or marines, or soldiers; while many, in the American, were militia, or new levies, from the ranks of the army.

In number of vessels, we exceeded by three; the enemy had a superiority of ten in the

number of guns. The vessels of the enemy were impervious to the shot of our carronades; but their long guns hulled the thin sides of our vessels, through and through. Let him be praised who has told us that "the battle is not always to the strong."

Two of the British vessels were ships; none of the American were better provided with masts, spars, rigging, and sails, than brigs might carry. The Detroit, Commodore Barclay's flag ship, had nineteen guns only; but they were long 12's, 18's and 24's. He was supported in his command, by Captain Finnis, of the Queen Charlotte; in the whole fleet were three Captains and the Commodore. While in the American, there was but two Captains, Perry and Elliot; all the other vessels were commanded by Lieutenants, Sailing-Masters, or Midshipmen.

The evening before the battle, the order of engagement was settled. By this, Captain Elliot, in the Niagara, was to lead the van; and it was determined, to attack the enemy, at their anchorage, if they did not come out to engage. On the morning of the 10th, when

the enemy hove in sight, and had formed with their flag ship at the head of the line ; Perry had determined to attack that ship himself, changed the order of sailing, run down to the encounter, and took the van himself.

This change in *the order of sailing*, was instantly communicated to the whole fleet, by signal.

The young Commodore, at the close of the council of war, on the evening of the 9th, told his officers that he could not better advise them than in the words of Nelson : “ *If you lay your enemy along side, you cannot be out of your place.*”

He then gave the order to each commanding officer of the fleet, in writing. This order closed with these words : “ *Engage each your designated adversary, in close action, at half cable's length.*” In this designation the Lawrence was opposed to the Detroit ; the Caledonia, with three guns, to the Hunter with ten ; the Niagara, to the Queen Charlotte.

In the American fleet, defectively manned, as they were, one hundred and sixteen men and officers, were on the sick-list, and unfit for

duty on the morning of the 10th of September, 1813, when they made sail, and stood out to encounter the enemy.

I have, perhaps, been prolix, in stating the particular circumstances of these two fleets; because I find myself placed in the condition, not of the eulogist, but of the historian; and, under the most solemn obligation to do exact justice, even here, in this very limited number of American people assembled in this place: to do justice, I say, in every word I utter; and that, too, *between the living and the dead.*

For after a lapse of more than twenty-two years, from the day of that memorable battle, and fourteen years after Commodore Perry has been laid in his grave; while, during all this period of time, America and Europe, have, with one voice, awarded to him the honor of this triumphant victory, Captain Elliot has, very lately, claimed that honor for himself.

In the summer of 1836, a book of 480 octavo pages, was published at Philadelphia, as it purports; but with the name of no printer and

no writer annexed to it. This book is entitled "Biographical Notes of Commodore Jesse D. Elliot." About 250 pages of this book are devoted to an account of the battle on Lake Erie. It contains a great number of letters, addressed to Commodore Elliot, and which could be controlled by no one but himself. The book must, therefore, be regarded as autobiography.

Commodore Perry, in the moment of victory, flushed with youth and triumph; on the eve of the 10th, says, in his first despatch to the Secretary of the Navy, "*It has pleased the Almighty to give the arms of the United States a signal victory over their enemies on this lake.*"

Commodore Elliot, who, on that day, commanded the Niagara, says in the 35th page of his book: "It is not doing too much to say, *that to him,*" Jesse D. Elliot, "*the country is principally indebted for the honor of that splendid victory.*"

In page 195, he repeats that "*it is proved to the satisfaction of every candid reader, that Captain Elliot was CHIEFLY instrumental in gaining the*

victory on Lake Erie." These are sweeping claims ; they should be examined with candor and without resentment.

Jesse D. Elliot, now a Commodore in the United States navy, comes with his claim against Oliver Hazard Perry, in his grave, for a reversal of the long established judgment of the world. He calls Pennsylvania, the State where he was born, to support his claim against Rhode-Island, the birth-place of Perry. If Rhode-Island never before lowered her flag to Pennsylvania, yet, if justice require it, let her lower it now. Nevertheless, first of all, review the case ; and then decide. I will, impartially, state the facts ; and you, in the same spirit, may judge.

On the night of the 9th of September, 1813, the American fleet lay moored at Put-in-Bay, on the southwest shore of Erie. At daylight on the 10th, the enemy were discovered from the mast head of the *Lawrence*, far up the lake in the northwest. This was, by signal, immediately communicated to the fleet ; and, at the same time, the signal was given to get under weigh. Perry told his officers and men,

that the enemy should fight that day. The wind being southwest, and light, the Commodore inquired of Sailing-Master Taylor whether he could work out of the bay, to the windward of the islands, at the mouth of it. When told he could not, "then," said he, "wear ship ; go out to the leeward, and give the enemy the wind of us." Before this could be done, the wind started from southwest to southeast, and gave our squadron a fair passage out, to the windward of that of the enemy. By this event, the American fleet, and every vessel of them, was enabled to take and to keep *any distance* from her adversary, which each of them might choose. This fact must be continually recollected, as we go on through the whole conflict. There had been a struggle, by the English Commodore, to get the weathergage ; but, as it appears, after the wind had shifted, and settled into the southeast, he gave it up, and at 10 o'clock, A. M., hove to in a line of battle, with his ships heading to the westward, and at the distance of about three leagues.

Commodore Perry, soon after, hoisted his broad pennant on board the Lawrence, inscribed with the immortal words of him whose name his vessel bore—" *Do n't give up the ship.*" And at the sight of it, the loud huzzas of the mariners resounded over the lake, from deck to deck, along the whole American line; and awakened the echoes which had been sleeping on those waters and shores, ever since the morning stars sang together. Our fleet approached the enemy, at an angle of about thirty degrees; so that, when the van-ship, the Lawrence, came into close action with the Detroit, the third, the Niagara, might be out of cannonade shot distance. The signal was given, by the Commodore, for each ship to engage her adversary, as she came up, and as designated in previous orders. Remember, those orders made the Lawrence the adversary of the Detroit, the Caledonia of the Hunter, and the Niagara of the Queen Charlotte; and there, in full view, lay those gallant British adversaries, with topsails back to the mast, with matches lighted, coolly waiting for the attack and the conflict.

The breeze being light, the American fleet was two hours in bearing down under all sail over this smooth surface of nine miles. The wind, though light, was steady ; and not a new movement was made in steerage, running gear, or sail. All were silent. It was, in both fleets, the stillness of the elements, before the storm of the hurricane. I will not believe one bosom palpitated with fear ; but many a one beat with an aspiration, and a hope for victory. In that awful pause, when at times, every eye glanced on every other eye, and all were mingling souls in a sympathy of courage and daring among their comrades and commanders, how many young hearts, for the last time, breathed a sigh and prayed a prayer, for home, parents, brothers, sisters, and for " the bosom friend dearer than all ?" Many a bright and moist eye looked, for the last time, on the green shores and sunny hills of their country. Rashness, without courage, may rush thoughtlessly into the battle ; but nothing but valor of soul can stand unmoved, and wait for the coming conflict of life or death, victory or defeat.

They stood every man silent at his post ; while the breath of heaven, born to fill the sails of commerce, and which never had before, seemed reluctant now, on those quiet waters, to aid men in mutual destruction.

At fifteen minutes before 12, M., Commodore Perry gave the signal for close action ; and then by trumpet, sent down, from ship to ship, along the whole line, a repetition of the order, " Engage your adversary, each as you come up, as before directed." This, be it remembered, was, *in close action at half cable's length.*

At fifteen minutes before 12, M., the British Commodore commenced the action, by a discharge from his long guns, at the Lawrence. Perry still bore down in gallant style, and retained his fire, receiving that of the enemy, until the British began to apprehend, that his design was to board. At five minutes before 12, M., Perry opened his fire. Not intending to lose a single shot, he ordered the first division only of his broadside to be fired. He then inquired of Lieutenant Yarnall if the shot of his carronades *told*? Being answered in the negative, he ordered Sailing-Master Taylor

to direct the helm put up, and run down, and close in with the enemy. He ran down, till every carronade and every musket might reach its mark. Taylor says *within* canister distance ; Perry says, in his dispatch and account of the battle, *at* half canister ; and Yarnall, who was ordered to *note if the shot told*, says *at* half musket shot ; 50 yards, 150 feet ; not quite so far as from where I stand to the foot of the bridge. In this position, at this slaughtering distance, the Lawrence encountered the Detroit, and there sustained the conflict with her, and the vessels which came to her aid, for two and one half hours. The Ariel, Lieutenant Packett, and the Scorpion, Sailing-Master Champlin, were just ahead, on her weather bow ; and the Caledonia, Lieutenant Turner, just astern, on her leeward quarter, during almost the whole action.*

The Niagara was astern of the Lawrence, and the Caledonia abeam of the Queen Charlotte in the line of approach, when the action

*See Diagram, No. 1, in the Appendix.

commenced. She, at first, discharged her first division ; but when their shot fell short of the Queen Charlotte, Captain Elliot did not order the helm put up, and run down to within half cable's length of his adversary, the Queen Charlotte ; but *it is admitted*, by him in his book, that he directed his Lieutenant to *cease firing* with the carronades, and *fire* with the *long twelves only*. The Queen Charlotte had 20's, to the Niagara's 24 pound carronades, but no long guns ; and, therefore, as she could neither *reach* the Niagara with her carronades, nor run up *AGAINST* the wind, and lay her along side, she packed on all sail, and run down to the aid of the Detroit and laid the Lawrence and the Caledonia along side at half past 12 o'clock, M. For the Hunter had just made sail, and run, not from the conflict with the Caledonia, but up to the head of the line, to aid the Little Belt, against the Scorpion and the Ariel.

This movement of the Queen Charlotte, is by *Captain Elliot*, in his *autobiography*, styled, her making sail, and *running away* from the Niagara ; but he does not say he made sail and run down after her, as he might : For if there

were wind enough for the Queen Charlotte to run away, there was wind enough for the Niagara to run after her. He admits, in that book, that instead of making all sail, and running down upon his adversary, the Queen Charlotte, as he had been ordered to do, no less than three times, and engaging her at half cable's length, he threw his topsail to the mast and brailed up his jib, so as to keep his position on the water as nearly as practicable. Every nautical man will tell us that this position of the sails would hold his ship to the wind, and keep her in her then present place ; so that, all the ships engaged, would be sagging slowly ahead, and to the leeward ; until the Caledonia and the Lawrence were directly between the Niagara and the Detroit and the Queen Charlotte. If he fired then, it must have been at the Chippewa of one gun. For the Lady Prevost had been wounded in the rudder, and soon fell to the leeward out of the reach of his carronades or long guns. If, then, after one o'clock, the Niagara fired at the Detroit or the Queen Charlotte, it must

have been *across* the Lawrence and the Caledonia.*

The Somers, of two 32's, and the Trippe of one 32, were *astern* of the Niagara for a long time; for they had been destined to support the Niagara, as the Ariel and the Scorpion supported the Lawrence. The Tigress and the Porcupine, both dull sailers, armed with each a thirty-two, were still more *astern* of the Niagara. These four gun-boats were, with their heavy ordnance, firing at long shots on the Chippewa and Lady Prevost.

The Lawrence for two and a half hours sustained the fire of the Detroit; and for two hours, that of the Detroit, Queen Charlotte, and most of that of the Hunter; forty-four guns, with all the marines, at half musket shot.

The British Commodore ordered all his fire from all three vessels turned on the Lawrence. For here he believed was the bone and muscle, and here he knew was the soul and spirit of the battle. If Perry were slain, and his

*See Diagram, No. 2, in the Appendix.

ship captured, the smaller vessels would fall of course. He seems not to have regarded the Niagara as then in the action.

Elliot, in his autobiography, declares that it was evidently the plan of the British commander, to disable our heaviest ships, in detail ; and thus to insure the capture of the whole. In proof of this, he asserts, and this assertion is literally true, that at half past 12, the Queen Charlotte made all sail and left the Niagara, and bore down and attacked and directed all her fire on the Lawrence.

Why, then, in the name of bravery and fair companionship, did not he, with the same wind and enough sail, and as much speed, bear down and follow her ? Why did he, as he admits he did, fling his topsail to the mast, furl his top-gallant sails, and brail up his jib ? Why did he, for two hours after the Queen Charlotte left him, leave the Lawrence exposed to the murderous fire of forty-four guns, supported only by nine in the Caledonia, Ariel, and Scorpion ; whilst he had twenty, with the wind whistling into their muzzles, when he might have been pouring the round, grape,

and canister, roaring out of them, against the enemy, at half musket shot? There is no evidence that a musket, or more than one division of one broadside of the carronades, was fired on board the Niagara, or that this was more than once discharged. It does not satisfactorily appear that after this first division, any thing was fired during the whole two hours and a half, except the two long twelves, or until Perry boarded her at 45 minutes after 2 o'clock, P. M.

On board the Lawrence, as an eye-witness has stated, the most perfect order prevailed during the whole action. There was no noise, no bustle, no confusion; as fast as the men were wounded, they were carried below, and others stepped into their places. The dead lay where they fell, until the action was over. Commodore Perry, during the whole time, says this eye witness, exhibited a cool, collected, and dignified bravery; his countenance was, the whole time, as composed as if he had been engaged in ordinary duty.

Not a murmur, not a complaint, was heard in the ship; while the balls—canister, grape,

and bullets, were sweeping over, and driving through them, like a storm of hail ; the slain and the wounded falling on every side ; and the blood gushing, in streams over the decks, from many a young and gallant heart.

There was *one*, and but one sentiment of regret, and throughout all the battle, that was discoverable. It was expressed, at times, in words, to the commander, by Yarnall, by Taylor, by Forrest. It was uttered, in groans, by the wounded, when carried below ; and breathed out with the last breath, by the dying on the deck ; and the gallant Laub, the brave and accomplished Brooks, lifting a last eye to heaven, and sending a last wish to home, died with this bitter regret on their lips—“ *Why, why does not the Niagara come down and help us !*”

Perry could say nothing to the severely wounded, or to the dead ; but of the unhurt, and those who though wounded kept, or returned to the deck, he was the life and soul. Untouched himself, and, covered, as he must have been on that day, by a shield, impenetrable, though invisible ; he, from hour to hour, continued to encourage and cheer them

all to fight on, till their consort should come down and take her part in the battle. He, himself, worked with his own hands at the last gun ; and when that was disabled, by a shot of the enemy, he had but himself, his little brother, and fourteen men alive, and unhurt on board. Then, when Lieutenant Yarnall, and his other officers, Taylor, and Forrest, again uttered their astonishment, that the Niagara *still hugged the wind, and kept at a distance*, freshened as the breeze was, by such a blaze from so many guns, for two and a half hours ; " Lower the boat," he exclaimed, " and I will go and bring her down." The boat--yes, while the ship was a mere wreck, in that storm of battle, the boat was lowered away from the quarter where she had been hung swinging as a mark for every shot, and was at that moment, like the commander, untouched and perfectly sound. He jumped in, with his broad pennant under his arm ; and his last words to Lieutenant Yarnall were, " I leave it to your discretion to strike, or not ; but the American colors must not be pulied down over my head to-day." He jumped into the boat, with eight stout sea-

men at the oars ; and put off at thirty minutes after two, for the Niagara. The British ships soon saw, and directed and discharged their whole fire at him, standing, as he did, erect in the stern of the boat. Nor was it the shower of balls, grape, canister, and bullets, but the earnest request, and entreating tears of his crew, which induced him to sit down. With all the speed that these eight men, at the oars, could give to the boat, and she must have sprung away like a race horse trained to the course ; how long was it before she reached the larboard side of the Niagara, and the Commodore sprung up her gangway ? What a transition, from the shattered decks and slaughtered crew of the Lawrence, to a ship so fresh, that as he said, “ when he found the guns, spars, sails, rigging, all sound, and not a man killed on board, he stepped lightly on the quarter deck.” Elliot was, at his own request, sent along the line of gun-boats, at several distances astern, to urge down the Somers, Tigress, and Porcupine.

The Trippe, Lieutenant Stevens, had before pushed down to the support of the Cale-

donia. The Commodore's flag was displayed on the Niagara, and the signal given to the vessels astern, for close action, as Perry says, at forty-five, as Yarnall says, at forty-eight minutes after two o'clock.

Soon after Perry left the Lawrence, she fell astern; and Yarnall, with the advice of the other officers, when further opposition was not practicable, struck the colors. While these things were in progress, Lieutenant Turner, before lying on the weather quarter of the Detroit, bore down, and took a position along side of that vessel.

Lieutenant Stevens, in the Trippe, a little sloop of one long thirty-two, had succeeded to that place, so long held by Turner in the Caledonia, on the *weather quarter* of the Detroit. These gallant young men, without slackening their fire, had exchanged signals for boarding the Detroit; when you may imagine with what delight they saw the gallant Commodore bearing down in the Niagara, under a press of sail.

He broke through the enemy's line; passed between the Hunter and Detroit, at half pis-

tol shot, thirty feet, from each ; and from all his guns double shotted with round, grape, or canister, poured his broadsides into these devoted vessels. Rounding to, opposed to the taffrail of the Queen Charlotte, then, by her bowsprit, entangled in the mizzen rigging of the Detroit, he began a raking fire, from end to end of both their decks.

The Queen Charlotte in this situation, and seeing the Somers, then commanded by Elliot, with the Tigress, and Porcupine, pressing down with sweeps and sails, struck her colors. The call being made to the Detroit, she gave up the contest.*

The Lady Prevost and Hunter, both disabled, pulled down their colors. The Little Belt, at the head, and Chippewa at the rear of the line, made all sail and run ; but the Scorpion, Lieutenant Champlin, and Trippe, Lieutenant Stevens, pursued ; and after a close chase, took and brought them back. The victory was won ; was complete ; not a sail of the enemy escaped.

*See Diagram, No. 3, in the Appendix.

The echo of the cannon, and of the triumphant shout, died away on the lake and the shores. The winds of heaven swept the volumes of smoke off from the shattered fleets. The setting sun looked back on the decks and the waters, crimsoned with the blood of the valiant.

A feeling of awe is on the heart of every living man, who comes *unhurt* out of a tremendous battle. For a time every human voice was silent. All paused; the groans of the wounded and the dying only were heard. The victors were too proud to exult; the vanquished, too brave to complain. All had, that morning, sent a seaman's prayer to heaven for success in the same language; and after the conflict, they met on the same decks where they had fought; and mingled salutations, each with the other, in his own mother tongue. All united in the care of the wounded and the burial of the dead; and these brave officers, American and British, who fell, cheering their seamen on to mutual conflict, were, by the survivors, laid side by side in their graves, on the shore of those waters

where they had fallen, and were alike honored and lamented by the mingled tears of friends and foes, and the united music and cannon of both fleets.

The brave are always merciful and compassionate ; Commodore Barclay expressed the warmest gratification at Perry's attention to his wounded prisoners ; said he had earned by it for himself immortal honor ; and afterwards, at an entertainment and ball given to him, and attended by the bravery and beauty of Canada, he gave as a toast, with great applause ; " Commodore Perry, the gallant and generous enemy."

After this victory,* Commodore Perry, with the fleet, transported General Harrison and his army over the lake ; joined the forces as volunteer aid of the Commander in Chief ; was with General Cass, as his other aid, at his side in the battle of the Thames, where the whole army of Proctor was either captured or destroyed.

This victory, the fruit of that on Lake Erie,

*See Note A.

demolished the British forces in Upper Canada ; dispersed the north-west confederacy of Indian tribes and warriors ; who immediately threw themselves on the mercy of the United States ; and thus secured the whole frontier, from Lake Ontario to the Mississippi.

This fleet of Erie is the first American fleet, which, in line of battle, encountered an enemy. It was commanded, as the first continental fleet had been, by a Rhode-Island man ; and to a great extent, built, and officered, and manned by Rhode-Island men. Will the people of this State be unmindful of the reputation of those men ; their own fellow-citizens, who laid the foundation, and raised that superstructure, which was by them, aided by others equally brave, so ornamented and adorned, *by such victories and such national benefits ?*

How mortifying to the patriot, that, after more than twenty years, such a mist of delusion should by any cause, be spread over any part of the American people ; that any one man could be found to doubt and question the title of Oliver Hazard Perry to the glory of that distinguished naval victory ! Still more

astonishing, that title is not only questioned, but another has boldly claimed that glory for himself.

If you are not already wearied by the length of this narrative, permit me to state two or three things, which are either admitted by this new candidate for this honor, or cannot be controverted by him.

At the close of the battle, Perry set up no *exclusive* claims to the glory of the victory. He submitted all, with unexampled modesty, to the award of his country.

Look at his despatches ; does he tell what *I* have done ? To General Harrison—" *We* have met the enemy, and they are *ours*." To the Secretary of the Navy—"It has pleased the Almighty to *give* to the arms of the United States a signal victory over their enemies on th^{is} lake. The British squadron consisting of two ships, two brigs, one schooner, and one sloop, have this moment surrendered to the force under my command, after a sharp conflict."

Nothing can be so conspicuous as the modesty, unless it be the piety, of this most per-

fect of all naval despatches. How could he say less of himself? The victory had been given by Him who gives all things—had been given, not to him, but to the *American* arms. The British squadron had surrendered to the *force*; what force? He could not avoid saying, to the force under *my* command. *One* epithet only, tells the nature of the battle; it was a *sharp* conflict. He puts under sail none of that *squadron of adjectives*, after which, a young egotist would have sent his first victory to the Naval Department. The autobiography exemplifies this from the 20th to the 23d page.

Perry not only did not wish to *engross* the honor to himself, but he was anxious that *all* should *share it* with him. At the close of the battle, every voice was loud in praise of the *first* in command; every tongue, but those of his own vessel, was questioning, or reluctantly restrained from questioning, the conduct of the *second* in command. Those who had opportunities to write, were, in their letters, expressing their censure on the *position* held by the Niagara *during* the battle.

The moment this was known to Perry, he sent Lieutenant Turner and Mr. Hambleton, one to the fleet, the other to the camp, entreating them to stop. "Why," said he, "should a young officer be ruined? Why should the public eye look on any part of the battle with disapprobation? Honor enough for all has been won; and I am desirous that all my companions in arms should share it with me." By this effort, every letter not dispatched already, was stopped. One only had been sent away, and could not be recalled. This act is and ever will be as honorable to Perry's generosity, as the victory was to his courage.

On the 13th of September, he sent a second despatch to the Secretary of the Navy, "to give him some of the particulars of the battle." Here he saved Elliot, by a *benevolent ambiguity*. He says "*at half past two, the wind springing up, Captain Elliot was ENABLED to bring his vessel, the Niagara, gallantly into close action.*" He was ENABLED, he could say; ~~he could not say~~ he DID bring the Niagara into close action. For every man in the fleet

knew that this was done by Perry himself. The public might infer, that Elliot, when he was *enabled* to bring, did *in fact*, bring the Niagara gallantly into close action ; and Elliot was willing it should be so left in this ambiguity. For though he requested Perry to place *this enabled*, at an *earlier* hour, he never requested him to say that he *did* do what he was *enabled* to do ; that is, that he *did* come gallantly into close action. The time *when* he was so *enabled*, was referred to one of his *own* Lieutenants, Edwards, and to Lieutenant Turner ; but they agreed, that one half past two, as the Commodore had stated it, was the *correct* time. This was the *moment* when Perry left the Lawrence to board the Niagara ; and this establishes the fact, that this Commodore Elliot, who now claims the honor of the victory, had not, at *one half after* two o'clock, in the afternoon, *been in close action*.

Some other admitted facts, place this question still further beyond doubt. It is admitted by all, that Commodore Perry left the Lawrence at half past two o'clock, P. M. ; that he hoisted the signal, on board the Niagara, for

close action, to the gun boats astern of her, at 45, as he says, and as Yarnall says, at 48 minutes after two. He could not have been less than ten minutes passing from the Lawrence to the Niagara, or more than three in hoisting the signal. How far could eight men send that light barge over the water in ten minutes? Some oarsmen tell me two; some one and a half, but none less than one mile. So far from the Lawrence, and a *little* farther, half musket shot, from the enemy, was the Niagara when Perry reached her deck. He had left the Lawrence on her larboard or left hand gangway, when she was directly abeam of the Detroit; and the moment that the Lawrence dropped astern, as she did immediately on his leaving her, and struck shortly after; the enemy saw him in his boat, and turned their fire from the ship to him.

It is admitted that he rowed round under the stern of the Niagara and came up on the windward, then the larboard, or left hand gangway. The wind was south-east. Had the Niagara been coming down, the wind would have been on her right hand, or star-

board side ; the wind, as it is proved by Elliot himself, was on the larboard or left hand side.

If then the Niagara was, as it is admitted, abeam of the Detroit and Queen Charlotte, though she was *enabled* to, yet she had not *begun* to come gallantly into close action.

Another admitted fact will tell where Elliot was when the Detroit and Queen Charlotte surrendered. Wherever the Niagara was, when Perry reached her ; the Somers, the Tigress and the Porcupine were in succession and in a line a long distance astern of her. This is proved by Elliot's own officers. Elliot, to bring them up, left the Niagara and rowed down the whole length of the line, or until he could hail the last boat ; and rowed back and boarded the Somers ; and so brought the gun boats down to engage in the action. Whatever distance these vessels, all dull sailers, were astern of the Niagara, Elliot had to row twice over that distance, before he could get back to the point where he left Perry in the Niagara ; then in two or three minutes, starting under full sail, to run down over the

space which he had rowed up in fifteen minutes.*

Let these facts tell their own story ; and they will give the "whereabouts" of Captain Elliot, when the action terminated. This was in fifteen minutes, as Elliot proves, and in twenty, as Yarnall states, after Perry boarded the Niagara.

The living can protect their own characters. Those who are dead, and who fell in the national service, have left their fame, perhaps the only inheritance of their children, to the safe keeping of their country ; and woe betide a people, when they permit the sanctuary of human glory, frail and perishable as it is, to be *profaned* and *plundered*.

It was sacrilege among the ancients, and deemed abhorrent to gods and men, to destroy, or remove a stick or a stone, from a trophy erected, by a conqueror, on a battle field, or by the shore where a naval victory had been achieved.

*See Note B.

Let the people of Rhode-Island protect with a pious diligence, the tombs and the glory of their buried patriots and heroes ; and alike abhor those who would tarnish the one, or demolish the other.

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NOTES.

NOTE A.

Although every effort was made for the relief of the wounded, yet there was much unavoidable delay in giving them needful attention; for Dr. Parsons, now one of our most distinguished medical gentlemen, then surgeon of the *Lawrence*, was the only surgeon able to do duty in the American squadron. It was not, therefore, until forty-eight hours after the battle, that he could attend to the wounded on board the *Niagara*. Of them, two only told him, that they were wounded before Perry boarded that vessel. He was preserved in that service, and for the completion of it, by one of the wonderful events of that day. While he was stooping in the cock-pit, diligently dressing the wounded, a shot, hulling the ship through and through, passed *just above* his head. Had he been standing up, nothing could have saved him; and the wounded in the fleet

would have been left without relief, and the country sustained a loss of one of her most able and distinguished men in the healing profession.

NOTE B.

The individuals, and those too in command and so most exposed, are, at times, wonderfully preserved in the midst of slaughter; yet do the number of dead and wounded, give fearful and solemn demonstration of the toil, peril, and exertions of those who led, cheered and urged them on in the battle.

On board the Somers, the gun boat which Elliot was bringing down, two men only were wounded, whether before or after his command, it is unknown; none were killed, on board the Niagara, when he commanded; and it is proved by the surgeon who dressed them, that two only, declared themselves to have been wounded during that time.

The condition of that vessel and her crew, when Elliot left her, as I have stated it, was communicated to me by a gentleman, who received it from Commodore Perry's own mouth. He related the fact, that he found the ship perfectly fresh and not a man killed on board, as a matter of gratulation; and one that gave him promise of a certain and speedy victory.

Elliot produced no evidence before his court of inquiry, sufficient to induce a belief that Perry was mistaken in this statement. Lieutenant Webster, when called up a second time, and asked by Elliot "what damage the Niagara sustained *during the action, not while he commanded*; mentioned sundry wounds in spars and rigging; and concludes by saying two men were killed and several wounded in his division before he went below.

If the answer be as extensive as the question, and cover the *whole action*, it perfectly corroborates, but does not contradict the statement of Commodore Perry.

The letter of Mr. Barton, nominal surgeon of the Niagara, written at Winchester, in Virginia, on the 22d of April, 1821, to Commodore Elliot, and sworn to on the 24th of that month, before some justice of the peace in Frederick county, Virginia, can hardly be regarded as evidence.

This man was, on the day of the battle, and for many days after, *so sick*, that the wounded men on board the Niagara were not dressed by him; nor, until the third day, when Dr. Parsons, acting as sole surgeon, took care of those brave fellows, who had been shot to pieces in the Niagara, after Perry took the command. What could Barton, sick as he was, and stationed below, know of the battle? As a specimen of his hearsay stories, take his declaration, in that letter;

that five were killed outright, on board the Niagara. If he knew this fact, how did it happen, that Captain Elliot returned to Commodore Perry, the names of but two, *Peter Morel, seaman, and Isaac Hardy, ordinary seaman?* These two only were killed on board that vessel; and it may be uncertain, whether before or after Elliot left the ship. That two only were wounded before Perry took command is placed beyond a doubt by the testimony of Dr. Parsons.

All that Barton states, he had heard from men on board with Elliot; and like himself, anxious to excuse themselves and their commander, and to stand well with the public.

Admit all they claim, and two men only, fell where Elliot fought; while on board the Lawrence, where Perry was engaged, twenty-two were killed and sixty-one wounded. On board the Niagara, when under Perry's command, it is fully believed two were killed, and unquestionably twenty-two were wounded.

No ships can be in close action for two hours and a half, and remain so sound as to be perfectly manageable in spars, rigging, sails, steerage, and battery; and perfectly fit to run down and encounter the enemy at any chosen distance.

When Perry left the Lawrence, she was utterly unmanageable, and could not move a sail, or fire a gun. The Detroit, which had been engaged with her and

the Caledonia, was, as Commodore Barclay says, "a perfect wreck, and the Queen Charlotte in a condition but little better."

What was the condition of the Niagara when Elliot left her? Let the service which she immediately performed under the command of Perry, give the answer. She was so perfectly fresh, so entirely unhurt in steerage, spars, rigging, sails, and battery, that without stopping a moment to repair, he instantly, at 45, or at most, 48 minutes after 2 o'clock, made signal for close action to the vessels astern; and backing on all sail bore down and broke through the enemy's line.

This being the condition of the Niagara when Elliot left her, why should we call witnesses to prove that she had been, during the battle, out of the reach of the enemy's fire? For if every man on board were to swear that she had been yard arm and yard arm with the Queen Charlotte, for two hours and a half, not a man, woman, or child on earth, would believe one word of the story.

No; the Niagara was perfectly *fresh*, and *hanging* in the wind, at a *safe distance*, when Perry boarded her, at 45 minutes after 2 o'clock. With such a vessel, with none killed and but two wounded, he was able to make sail, bear gallantly down, break through the enemy's line, and in fifteen minutes after he came on board, as Elliot's witnesses testify, or in twenty, or

twenty-five, as Yarnall states, to terminate the action by a signal and glorious victory.

NOTE C.

Lieutenant Webster called and examined under oath by Commodore Elliot, testifies, that when he went below, the gun boats were *a long way astern* of the Niagara. No evidence is brought to prove, and there is no reason to believe, that they were nearer when Elliot left the Niagara, after Perry came on board.

Indeed, if these vessels had been near, or the nearest within hailing distance, and the others no further off in succession down the line, the call to close up, would have been sent by sound of trumpet. The fact of Elliot's going after them, proves that they could not be expedited, in their approach, by signal or trumpet.

They were astern of the Niagara, and in the same line with her; so that Elliot, when he had rowed to the most distant, and then back to the Somers, was no nearer the enemy than the Niagara was, when he left her.

How long was Elliot in rowing twice over this distance? If it were but one half as far as the Lawrence was from the Niagara, when Perry boarded that vessel, Elliot must have been fifteen minutes in those two movements. Where was Perry, in the Niagara, during that time? Let it be told by Midshipman Mont-

gomery, one of Elliot's own witnesses. He says, "the Detroit struck in fifteen minutes after Perry came on board the Niagara; and the Queen Charlotte a few minutes after."

If this be correct, Elliot had *that instant* reached the Somers. He proves, that when he reached that vessel, both her long 32's were shotted with balls of that weight. These he ordered drawn, and the guns shotted with grape and canister. Was this done to save the 32 lb. balls, as the 24 lb. carronade balls had been saved, because they were too distant to reach the enemy? Or, was it the fact, that he then saw the colors of these two ships were down; and that while he was pressing up, with sweeps and sails, *into the thickest of the fight, after it was all over*, it was well to have the rest of his men *busy in unloading and loading the guns?*

Had the Somers been within point blank shot when he boarded her, the quickest way to have cleared his guns, for a load of grape and canister, would have been to place the 32 lb. shot, which then incumbered them, between wind and water in the enemy's broadside. Two such balls, directed by a skillful eye over that smooth water, might have finished the conflict, if the conflict had not already been finished.

In a late publication, purporting to be a Naval History, it is stated that the boat service performed by

Elliot in the battle, was as perilous as that performed by Perry. Is this correct? The Lawrence was with- in half musket shot of the enemy when Perry left her, and the Niagara was out of carronade shot when he reached her. The whole fire of the enemy was poured in upon him during his whole passage from one to the other vessel.

Elliot, when he left the Niagara to bring up the vessels astern, was out of sight of the Detroit and Queen Charlotte; and from that time until he returned to the Somers and boarded her, was out of reach of all their guns, and does not appear to have been noticed by them. The writer, who could compare these two services together, and pronounce them equally perilous, must have a strange obliquity of purpose, or of understanding.

NOTE D.

It is in proof and is admitted to be true, that Commodore Perry rowed round the stern of the Niagara and came upon the larboard side. It is then true that this vessel was not bearing down on the enemy, for had that been the case, the boat's crew being equally exposed to the enemy's shot on either side of the vessel, she would have been boarded, on the starboard, that being the side first reached by the boat.

It is also admitted that the Commodore boarded on

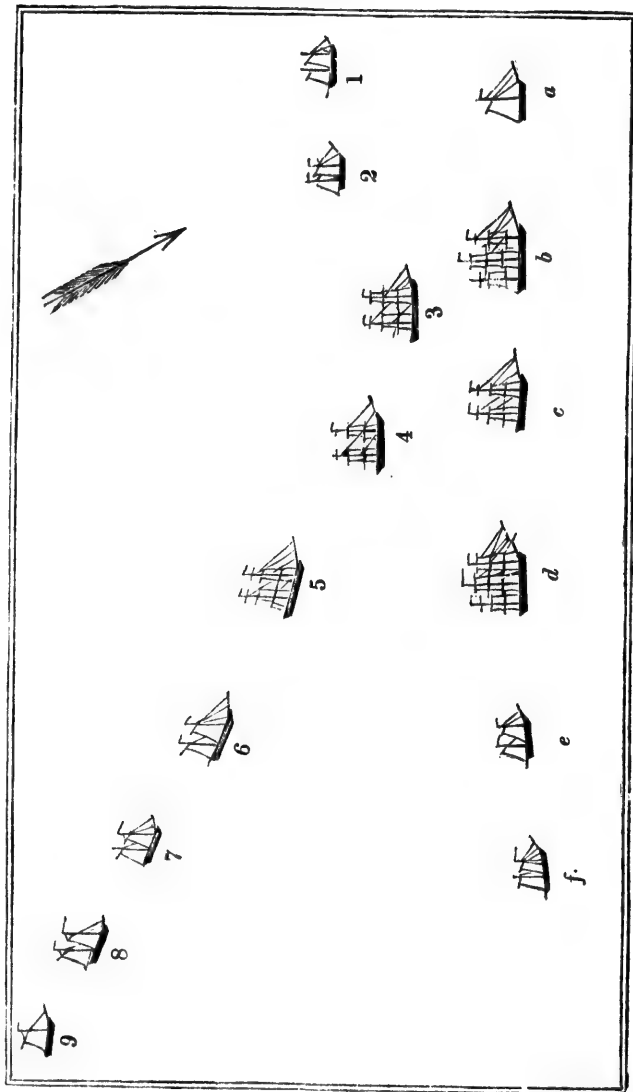
the windward side of the Niagara ; the wind must then have been on the larboard side, for on that side he boarded. The wind was southeast, and this vessel must have been heading to the westward or the wind could not have been on her larboard quarter. She was abeam of the Detroit, and had she been running down on that ship her course must have been north, and the wind, at southeast, would have been on her starboard quarter. It cannot, then, be true that she had *begun* to run down to the enemy's line when Commodore Perry boarded her. It is admitted that the Somers, Tigress and Porcupine, were astern of the Niagara when boarded by the Commodore ; but it is also admitted that these vessels were all heading to the westward with the southeast wind on their larboard quarters. The Niagara must therefore have been heading the same course ; or the other vessels could not have been astern of her ; for had she at that time been running down on the enemy they would have been on her beam as they were a few minutes after, when Perry packed on all sail and put up his helm to rush down and break through the enemy's line.

At the court of inquiry, requested by Captain Elliot, most of his officers, called by him as witnesses, testify that the Niagara was in close action during the whole battle. Nevertheless, Captain Elliot asks of several of them this question, "When Captain Perry boarded the

Niagara, was not my helm put up and the vessel bearing down on the enemy?" This question contradicts all these witnesses, and admits that when Captain Perry boarded the Niagara, at 45 minutes past two o'clock, she was not in close action; and all the witnesses who say "yes" to this question contradict what they had said before, viz., that the Niagara was in close action when boarded by the Commodore, while all the foregoing admitted facts, viz. the southeast wind on the larboard quarter, the other vessels astern, the rowing round the stern and boarding of the Commodore on the larboard side of the Niagara, prove beyond question, that the helm was not put up and that she had not then begun to run down on the enemy, when boarded by Captain Perry.

APPENDIX.

DIAGRAM, NO. 1.



EXPLANATION OF DIAGRAM, NO. 1.

This Diagram represents the position of the two fleets at the commencement of the action. The arrow indicates the course of the wind, which was from the southeast. The fleets were headed westward.

AMERICAN SQUADRON.

1. The schooner Scorpion, Sailing Master Champlin, of two guns, 32 pounders.
2. The schr. Ariel, Lieut. Packett, 4 guns, 18's and 24's.
3. The Lawrence, Captain Perry, with twenty guns, two long 12s and eighteen 24s.
4. The Caledonia, Lieutenant Turner, with three guns, 24 and 32 pounders.
5. The Niagara, Captain Elliott, with the same armament as the Lawrence.
6. The schooner Somers, Sailing-Master Almy, with two 32 pounders.
7. The schooner Porcupine, Midshipman Smith, with one 32 pounder.
8. The Tigress, Lieut. Conklin, with one 32 pound gun.
9. The sloop Trippe, Lieutenant Stevens, with one 32 pound gun.

BRITISH SQUADRON.

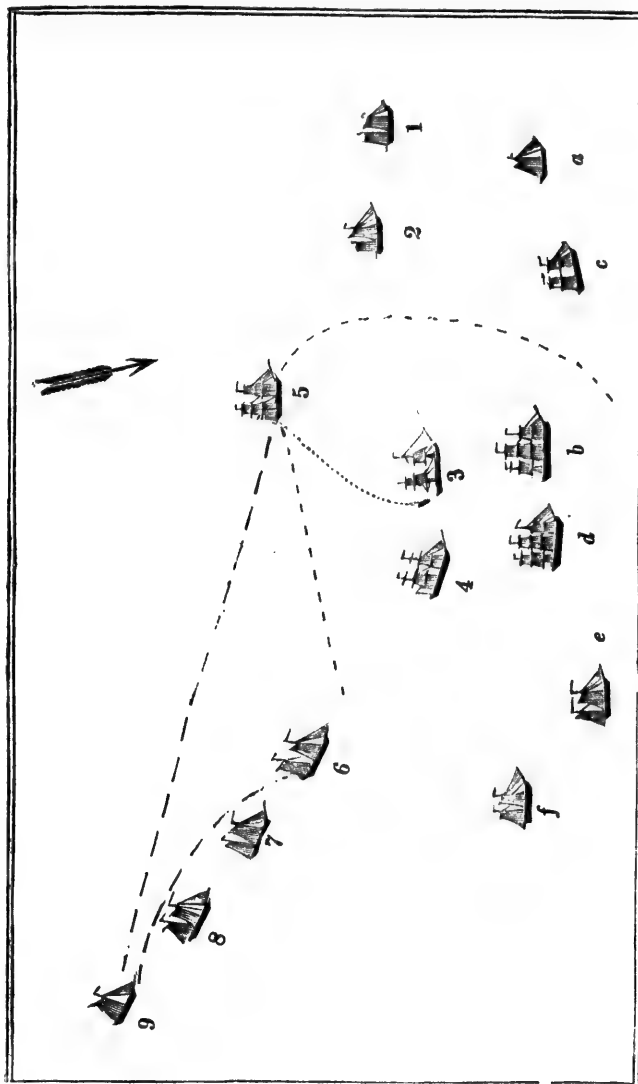
- a. Sloop Little Belt, of three guns.
- b. The ship Detroit, with nineteen guns.
- c. The brig Hunter, with ten guns.
- d. The ship Queen Charlotte, with seventeen guns.
- e. The schooner Lady Prevost, with thirteen guns.
- f. The schr. Chippewa, with one gun and two swivels.

EXPLANATION OF DIAGRAM, NO. 2.

This Diagram represents the position of each ship at the moment when Perry left the Lawrence, in his boat, for the Niagara.

- 1 and 2, are the Scorpion of two guns, and Ariel of four guns, contending with the Little Belt of three guns and the Hunter of ten guns. The Hunter, early in the action, had left her position in the line, between the Detroit and Queen Charlotte, and pressed forward to the support of the Little Belt.
3. The position of the Lawrence at the moment when Perry left her, in her disabled state, for the Niagara. The former lay an unmanageable wreck, and as the fleet moved slowly forward, during the action under easy sail, she dropped to windward, and at the close of the engagement, was in the position in which she is represented in Diagram No. 3.
4. The Caledonia of four guns, which had pressed forward to the aid of the Lawrence, in her unequal contest with the Detroit and Queen Charlotte.
5. The Niagara at the moment when Perry left the Lawrence to board her. The dotted line from 6 to 5, will show the course of her steerage from the time she left her place in the line, till the command of her was assumed by Perry. The dotted line from her bow, through the line of the British fleet, will show her course after Elliot left her.
6. The Somers, of which Captain Elliot took the com-

DIAGRAM, NO. 2.



mand toward the close of the action, after leaving the Niagara and rowing down to the Trippe.

7, 8 and 9. The Porcupine, Tigress and Trippe.

The dotted line from 5 to 9 and from 9 to 6, represents the route of Captain Elliot in his boat, after he left the Niagara to go down the line and bring up the small vessels to the windward. He passed down the line to the Trippe, thence along the line of schooners to the Somers, of which he took the command and brought her into action at near the close of the battle.

The dotted line from 3 to 5, exhibits the direction of Captain Perry's boat in passing from the Lawrence to the Niagara. As the Lawrence fell to the rear immediately after he left her, his boat was exposed to the full broadside of the enemy.

The other dotted line will exhibit the course of the Niagara while under the command of Elliot, and afterwards under that of Perry, as explained above.

BRITISH FLEET.

- a. The Little Belt.
- b. The Detroit.
- c. The Hunter, which had left her place in line, astern of the Detroit, and took station in advance of her.
- d. The Queen Charlotte, which had passed forward and united her force with the Detroit, for the destruction of the Lawrence, after she discovered the Niagara had avoided an encounter with her.
- e. The Lady Prevost, which had been injured in her rudder and fallen out of the line.
- f. The Chippewa.

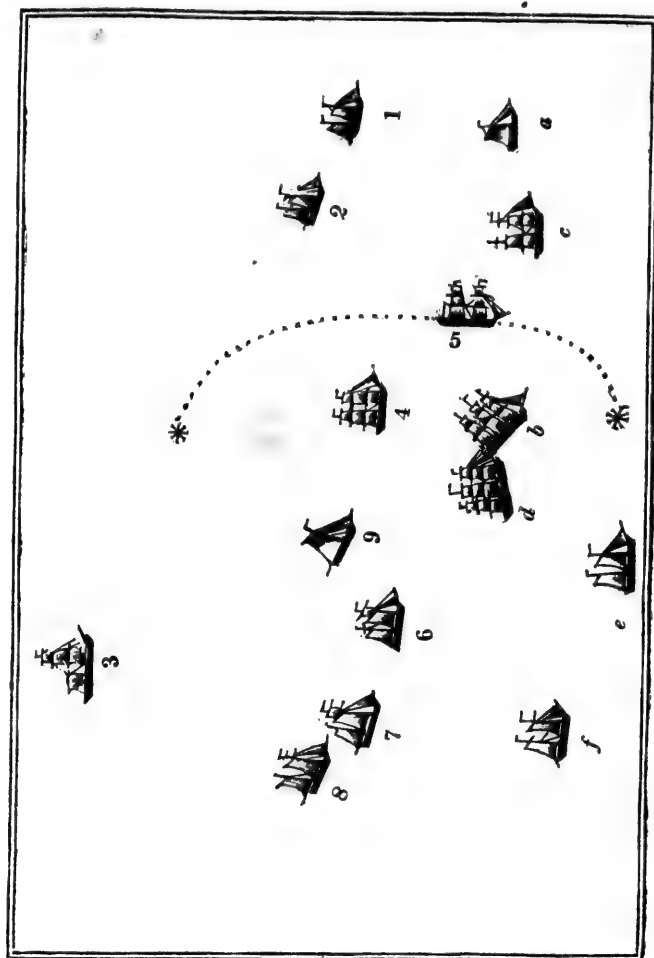
EXPLANATION OF DIAGRAM, NO. 3.

This Diagram represents the position of the vessels of both fleets at near the close of the action, while Perry, in the Niagara, was pressing through the enemy's line, pouring one broadside into the Hunter, on his larb ard side, and the other into the Detroit and Queen Charlotte, from the starboard guns.

AMERICAN FLEET.

- 1 and 2. The Scorpion and Ariel, in the positions which they had maintained throughout the action.
3. The Lawrence which had dropped to the windward, after Perry left her.
4. The Caledonia which had pressed forward and taken the place of the Lawrence, after the latter had fallen out of the battle.
5. The Niagara, under the command of Perry, bearing down through the enemy's line, and in this position, with all her guns double shotted, she raked the Detroit, Queen Charlotte and Lady Prevost with her starboard guns, and brought down the flags of the two ships ; and with her larboard guns silenced the Hunter. She then rounded to, and silenced the Lady Prevost, and thus terminated the conflict.
6. The Somers, under the command of Elliot, pressing up to close quarters, at near the termination of the action.
- 7 and 8. The Porcupine and Tigress, which were unable to get into action.

DIAGRAM, NO. 3.



9. The Trippe, which had gallantly pushed forward with her single 32 pounder, to the support of the Caledonia, after the latter had taken the place of the Lawrence.

The dotted line indicates the course of the Niagara, under the command of Perry. The wind remained in the same quarter as at the commencement of the action.

BRITISH FLEET.

- a. The Little Belt, which, after the Hunter had struck, attempted to escape, but was pursued and taken by the Scorpion, Lieutenant Champlin.
- b. The Detroit attempting to wear, to avoid the Niagara's raking broadside, and by that movement became entangled with the Queen Charlotte.
- c. The Hunter, which surrendered after receiving the raking fire of the Niagara, as she passed her.
- d. The Queen Charlotte afoul of the Detroit. In this situation both ships surrendered.
- f. The Chippewa, which after the surrender of the other vessels, crowded all sail and fled, but was pursued and captured.

AMERICAN OFFICIAL ACCOUNT.

Copy of a letter from Commodore Perry to the Secretary of the Navy.

*United States schooner Ariel, Put-in-Bay, }
13th September, 1813.*

SIR—In my last I informed you, that we had captured the enemy's fleet on this lake. I have now the honor to give you the most important particulars of the action. On the morning of the 10th inst. at sunrise, they were discovered from Put-in-Bay, where I lay at anchor with the squadron under my command. We got under way, the wind light at S. W. and stood for them. At 10 A. M. the wind hauled to S. E. and brought us to windward; formed the line and brought up. At 15 minutes before 12, the enemy commenced firing; at 5 minutes before 12, the action commenced on our part. Finding their fire very destructive, owing to their long guns, and its being mostly directed to the Lawrence, I made sail, and directed the other vessels to follow, for the purpose of closing with the enemy. Every brace and bow line being shot away, she became unmanageable, notwithstanding the great exertions of the Sailing Master. In this situation she sustained the action upwards of two hours, within canister shot distance, until every gun was rendered useless, and a greater part of the crew either killed or wounded. Finding she could no longer annoy the enemy, I left her in charge of Lt. Yarnall, who, I was convinced, from the bravery already displayed by him, would do

what would comport with the honor of the flag. At half past 2, the wind springing up, *Captain Elliot was enabled to bring his vessel*, the Niagara, gallantly into close action; I immediately went on board of her, when he anticipated my wish by volunteering to bring the schooners, which had been kept astern by the lightness of the wind, into close action. It was with unspeakable pain that I saw, soon after I got on board the Niagara, the flag of the Lawrence come down, although I was perfectly sensible that she had been defended to the last, and that to have continued to make a show of resistance would have been a wanton sacrifice of the remains of her brave crew. But the enemy was not able to take possession of her, and circumstances soon permitted her flag again to be hoisted. At 45 minutes past two, the signal was made for "close action." The Niagara being *very little injured*, I determined to pass through the enemy's line, bore up and passed ahead of their two ships and a brig, giving a raking fire to them from the starboard guns, and to a large schooner and sloop, from the larboard side, at half pistol shot distance. The smaller vessels at this time having got within grape and canister distance, under the direction of Captain Elliot, and keeping up a well directed fire, the two ships, a brig, and a schooner, surrendered, a schooner and sloop making a vain attempt to escape.

Those officers and men who were immediately under my observation evinced the greatest gallantry, and I have no doubt that all others conducted themselves as became American officers and seamen. Lieutenant

Yarnall, first of the Lawrence, although several times wounded, refused to quit the deck. Midshipman Forrest, (doing duty as Lieutenant,) and Sailing-Master Taylor, were of great assistance to me. I have great pain in stating to you the death of Lieutenant Brooks, of the marines, and Midshipman Laub, both of the Lawrence, and Midshipman John Clark, of the Scorpion; they were valuable officers. Mr. Hambleton, Purser, who volunteered his services on deck, was severely wounded late in the action. Midshipman Claxton and Swartwout, of the Lawrence, were severely wounded. On board the Niagara, Lieutenants Smith and Edwards, and Midshipman Webster, (doing duty as Sailing-Master,) behaved in a very handsome manner. Captain Brevoort, of the army, who acted as a volunteer in the capacity of a marine officer on board that vessel, is an excellent and brave officer, and with his musketry, did great execution. Lieutenant Turner, commanding the Caledonia, brought that vessel into action in the most able manner, and is an officer, that in all situations may be relied upon. The Ariel, Lieutenant Packett, and Scorpion, Sailing-Master Champlin, were enabled to get early into the action, and were of great service. Captain Elliot speaks in the highest terms of Mr. Magrath, Purser, who had been despatched in a boat on service, previous to my getting on board the Niagara; and, being a seaman, since the action has rendered essential service in taking charge of one of the prizes. Of Captain Elliot, already so well known to the government, it would be almost superfluous to speak. In this action he evinced his

characteristic bravery and judgment, and since the close of the action, has given me the most able and essential assistance.

I have the honor to enclose you a return of the killed and wounded, together with a statement of the relative force of the squadrons. The Captain and first Lieutenant of the Queen Charlotte, and first Lieutenant of the Detroit, were killed. Captain Barclay, senior officer, and the commander of the Lady Prevost, severely wounded. Their loss in killed and wounded, I have not yet been able to ascertain; it must, however, have been very great.

Very respectfully, I have the honor to be,

Sir, your obedient servant,

O. H. PERRY.

The Hon. WM. JONES,

Secretary of the Navy.

EXTRACT FROM THE LOG-BOOK OF THE LAWRENCE.

The following document, which has not before been presented to the public, is an important piece of testimony in the proof that the Niagara was kept out of the action till boarded by Perry. It is an attested copy of the log-book of the Lawrence, for the 10th of September, 1813. The record was made within twenty-four hours after the action—and before the unwarranted pretensions of Elliot were dreamed of—by the Sailing Master, Taylor, whose official duty it was to keep a register of the important events of the day, for preservation. The log contained only what were well known

and admitted facts at the time on board the ship; it was the public record of the ship, open to the view of all, and undisputed by any one.

The log-book disappeared soon after Perry left the fleet and the command of it was assumed by Elliot, and has not since been recovered. The following transcript of it was made by an officer of the Lawrence into his own private diary, on the day after the battle, and it is from that source that we have derived it.

"Put-in-Bay, at 5 o'clock, A. M. discovered the enemy's squadron bearing N. W., wind S. W.; at 7 could see all the vessels, two ships, two brigs, one* schooner and one sloop. At 10, called all hands to quarters. At a quarter before meridian the enemy commenced the action at one mile distant. In half an hour we came within musket shot of the enemy's new ship Detroit. At this time they opened a most destructive fire on the Lawrence from the whole squadron. At half past one, so entirely disabled we could work the brig no longer. At two P. M. most of the guns were dismounted, breechings gone, and carriages knocked to pieces. Capt. Perry hauled down the fighting flag, which bore this motto, "Do n't give up the ship," and repaired on board of the Niagara, and then raised it again. In ten minutes after, we struck to the enemy. Capt. Perry made all sail with the *Niagara*, which *hitherto had kept out of the action*, and in fifteen minutes passed in among the British squadron, having the Detroit, Queen Charlotte and Lady Prevost on the starboard

*One of the brigs was an hermaphrodite, and sometimes was called a schooner.

side, and the Hunter on the larboard side, and silenced them all ; and ten minutes before three, they hauled down their colors. Two small vessels attempted to escape but being overhauled, struck a few minutes after three." Then follows a list of the killed and wounded on board the Lawrence.

BRITISH OFFICIAL ACCOUNT.

Letter of Captain Barclay.

His Majesty's late ship Detroit, Put-in-Bay. }
Lake Erie. September 12th. }

SIR—The last letter I had the honor of writing to you, dated the 6th instant, informed you, that unless certain intimation was received of more seamen being on their way to Amherstburg, I should be obliged to sail with the squadron, deplorably manned as it was, to fight the enemy (who blockaded the port,) to enable us to get supplies of provisions and stores of every description ; so perfectly destitute of provisions was the port, that there was not a day's flour in store, and the crews of the squadron under my command were on half allowance of many things, and when that was done, there was no more. Such were the motives which induced Major-General Proctor (whom by your instructions I was directed to consult, and whose wishes I was enjoined to execute, as far as related to the good of the country) to concur in the necessity of a battle being risked, under the many disadvantages which I labored, and it now remains for me, the most melancholy task, to relate to you the unfortunate issue

of that battle, as well as the many untoward circumstances that led to that event. No intelligence of seamen having arrived, I sailed on the 9th instant, fully expecting to meet the enemy next morning, as they had been seen among the islands; nor was I mistaken. Soon after day light they were seen in motion in Put-in-Bay, the wind then at south-west and light, giving us the weather gage, I bore up with them, in hopes of bringing them to action among the islands, but that intention was soon frustrated, by the wind suddenly shifting to the south-east, which brought the enemy directly to windward. The line was formed according to a given plan, so that each ship might be supported against the superior force of the two brigs opposed to them. About ten, the enemy had cleared the islands and immediately bore up, under easy sail, in a line abreast, each brig being also supported by the small vessels. At a quarter before 12, I commenced the action by a few long guns; about a quarter past, the American Commodore, also supported by two schooners, one carrying four long 12 pounders, the other a long 32 and 24 pounder, came close to action with the Detroit; the other brig of the enemy, apparently destined to engage the Queen Charlotte, supported in like manner by two schooners, *kept so far to windward as to render the Queen Charlotte's 20 pounder carronades useless, while she was*, with the Lady Prevost, exposed to the heavy and destructive fire of the Caledonia, and four other schooners, armed with heavy and long guns, like those I have already described. Too soon, alas! was I deprived of the

services of the noble and intrepid Captain Finnis, who soon after the commencement of the action fell, and with him fell my greatest support ; soon after, Lieutenant Stokes, of the Queen Charlotte, was struck senseless by a splinter, which deprived the country of his services at this very critical period. As I perceived the Detroit had enough to contend with, without the prospect of a fresh brig, provincial Lieutenant Irvine, who then had charge of the Queen Charlotte, behaved with great courage, but his experience was much too limited to supply the place of such an officer as Captain Finnis, hence she proved of far less assistance than I expected.

The action continued with great fury until half past two, when I perceived my opponent drop astern, and a boat passing from him to the Niagara, (*which vessel was at this time perfectly fresh,*) the American Commodore seeing, that as yet the day was against him (his vessel having struck soon after he left her) and also the very defenceless state of the Detroit, which ship was now a perfect wreck, principally from the raking fire of the gun boats, and also that the Queen Charlotte was in such a situation, that I could receive very little assistance from her, and the Lady Prevost being at this time too far to leeward, from her rudder being injured, made a noble, and alas ! too successful an effort to regain it, for he bore up, and supported by his small vessels, passed within pistol shot, and took a raking position on our bow, nor could I prevent it, as the unfortunate situation of the Queen Charlotte prevented us from wearing ; in attempting it we fell on board her;

my gallant first Lieutenant, Garland, was now mortally wounded, and myself so severely that I was obliged to quit the deck. Manned as the squadron was, with not more than 50 British seamen, the rest a mixed crew of Canadians and soldiers, and who were totally unacquainted with such a service, rendered the loss of officers more sensibly felt, and never in any action was the loss more severe, every officer commanding vessels, and their second^s, was either killed or wounded so severely, as to be unable to keep the deck. Lieutenant Buchan, in the Lady Prevost, behaved most nobly, and did every thing that a brave and experienced officer could do in a vessel armed with 12 pound carronades, against vessels carrying long guns. I regret to state that he was severely wounded. Lieutenant Signal, of the Dover, commanding the Hunter, displayed the greatest intrepidity; but his guns being small (two four and six pounders) he could be of much less service than he wished. Every officer in the Detroit behaved in the most exemplary manner. Lieutenant Inglis showed such calm intrepidity, that I was fully convinced that, on leaving the deck, I left the ship in excellent hands; and for an account of the battle after that, I refer you to his letter, which he wrote me for your information.—Mr. Hoffmeister, purser of the Detroit, nobly volunteered his services on the deck, and behaved in a manner that reflects the highest honor on him. I regret to add that he is very severely wounded in the knee. Provincial Lieutenant Purvin, and the military officers, Lieutenants Garden, of the Royal Newfoundland Rangers, and O'Keefe of the

41st regiment, behaved in a manner which excited my warmest admiration; the few British seamen I had, behaved with their usual intrepidity, and as long as I was on deck, the troops behaved with a calmness and courage worthy of a more fortunate issue to their exertions.

The weathergage gave the enemy a prodigious advantage, as it enabled them not only to choose their position, but their distance also, which they did in such a manner as to prevent the carronades of the Queen Charlotte and Lady Prevost, from having much effect; while their long guns did great execution, particularly against the Queen Charlotte. Captain Perry has behaved in a most humane and attentive manner, not only to myself and officers, but to all the wounded. I trust that, although unsuccessful, you will approve of the motives that induced me to sail under so many disadvantages, and that it may be hereafter proved, that under such circumstances the honor of His Majesty's flag has not been tarnished. I enclose the list of killed and wounded.

I have the honor to be, &c.

(Signed)

R. H. BARCLAY.

Commander and late Senior Officer.

His Majesty's late ship Detroit, September 10.

SIR—I have the honor to transmit to you an account of the termination of the late unfortunate battle with the enemy's squadron.

On coming on the quarter deck, after your being wounded, the enemy's second brig, at that time on our

weather beam, shortly after took a position on our weather bow to rake us ; to prevent which, in attempting to wear, to get our starboard broadside to bear upon her, a number of the guns on the larboard broadside being at this time disabled, we fell on board the Queen Charlotte, at this time running up to leeward of us. In this situation the two ships remained for some time. As soon as we got clear of her, I ordered the Queen Charlotte to shoot ahead of us, if possible ; and then attempted to back our fore-topsail to get astern, but the ship lying completely unmanageable, every brace cut away, the mizen topmast and gaff down, all the other masts badly wounded, not a stay left forward, hull shattered very much, a number of the guns disabled, and the enemy's squadron raking both ships ahead and astern, none of our own in a situation to support us, I was under the painful necessity of answering the enemy, to say we had struck, the Queen Charlotte having previously done so. I have the honor, &c.

(Signed)

GEORGE INGLIS.

To Captain BARCLAY, &c.

The following extract from volume 8, page 29, of Niles' Register, was copied from a London paper, in 1815.

" NAVAL COURT MARTIAL."

" A Court Martial was held at Portsmouth, on Friday, on board His Majesty's ship Gladiator, for the trial of Captain R. H. BARCLAY and his remaining officers and men, for the loss of the squadron on Lake

Erie, on the 10th of September, 1813, in an action with the American flotilla."

After detailing the bad equipment of the British vessels, and other unfavorable circumstances under which Capt. Barclay was compelled to sail, the Court say, that,

"On the following morning he fell in with the enemy, and having the weathergage, bore down to commence the action; but, unfortunately, the wind veered directly round, and brought our squadron to leeward. The commencement, however, was propitious; the American Commodore was obliged to leave his ship, which soon afterwards surrendered, and hoist his flag on another of his squadron, *which had not been engaged, and was making away*, when unfortunately, the Queen Charlotte and Detroit, our two best ships, having had all their officers killed and wounded, fell on board of each other, and were unable to clear—at the same time the greater number of their guns were dismounted, and the Lady Prevost had fallen to leeward, having lost her rudder. The Americans, seeing this situation of our ships, renewed the action with the assistance of his gun boats, by which the whole of our squadron was obliged to surrender."

NOTE. The allegation *made in this report* that Captain Elliot was "*making away*," and not any thing contained in the official report of Commodore Perry, nor any charge made against him at home, induced Elliot to call for a Court of Inquiry. That court made the following report:

"The Court of Inquiry convened at the request of Captain Jesse D. Elliot, having deliberately examined



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all the evidence produced before them, for the purpose of investigating his conduct in the glorious battle of Lake Erie, on the 10th of September, 1813, in which he bore so conspicuous a part, sincerely regret that there should have been any diversity of opinion respecting the events of that day, and imperious duty compels the Court to promulgate testimony that appears materially to vary in some of its important points. The Court, however, feel convinced that the attempts to wrest from Captain Elliot the laurels he gained in that splendid victory, as second in command under that gallant and highly meritorious officer, Captain Perry, ought in no wise to lessen him in the opinion of his fellow citizens, as a brave and skilful officer, and that the charge made in the proceedings of the British Court Martial, by which Captain Barclay was tried, of his attempting to withdraw from the battle, is malicious and unfounded in fact. On the contrary it has been proved to the satisfaction of this Court, that the enemy's ship Queen Charlotte bore off from the fire of the Niagara, commanded by Captain Elliott."

A. MURRAY, *President.*

HENRY WHEATON, *Judge Advocate.*

(Approved.)

B. W. CROWNINSHIELD.

This opinion merely negatives the allegation of the British Court Martial, viz. : that Elliot was "*making away*" from the battle.

Commodore Perry has been accused of inconsistency in giving a favorable account of Elliot's conduct, in his report of the battle, and then preferring charges

against him for gross misconduct during the engagement. To set this in a proper light, his letter to the Secretary of the Navy accompanying those charges is here published, viz :

COM. PERRY'S LETTER TO THE SECRETARY OF THE NAVY.

SIR : I have the honor to lay before you copies of a letter lately received by me from Captain Jesse D. Elliot of the Navy, and of certain certificates enclosed therein, with copies also of my letter in reply, and of the affidavits of Lieutenants Turner, Stevens and Champlin, and Dr. Parsons.

The conduct of Captain Elliot, partially presented to view in these papers, and still more clearly marked by other acts of that officer within my knowledge, and fully susceptible of proof, imposes on me the duty of preferring against him the charges which accompany this letter ; and I now accordingly do prefer said charges against Captain Elliot, and request that a court martial may be ordered for his trial thereupon.

The facts upon which some of these charges are founded (particularly those relating to the behavior of that officer during the engagement on Lake Erie,) having been long in my possession, you will expect me to account for my not having sooner made them known to the government, and for having mentioned favorably, in my official report of that action, an officer whose conduct had been so reprehensible.

At the moment of writing that report, I did in my own mind avoid coming to any conclusion to what cause the conduct of Captain Elliot was to be imputed;

nor was I then fully acquainted with all the circumstances relating to it. Having previously to the engagement given all the orders which I thought necessary to enable every officer do his duty, and feeling confidence in them all, I was, after it commenced, necessarily too much engaged in the actual scene before me to reflect deliberately upon the cause which could induce Captain Elliot to keep his vessel so distant both from me and the enemy. And after the battle was won, I felt no disposition rigidly to examine into the conduct of any of the officers of the fleet ; and, strange as the behavior of Captain Elliot had been, yet I would not allow myself to come to a decided opinion, that an officer who had so handsomely conducted himself on a former occasion, (as I then in common with the public had been led to suppose Captain Elliot had) could possibly be guilty of cowardice or treachery. The subsequent conduct also of Captain Elliott ; the readiness with which he undertook the most minute services ; the unfortunate situation in which he now stood, which he lamented to me, and his marked endeavors to conciliate protection—were all well calculated to have their effect. But still more than all, I was actuated by a strong desire that in the fleet I then had the honor to command, there should be nothing but harmony after the victory they had gained, and that nothing should transpire which would bring reproach upon any part of it, or convert into crimination the praises to which they were entitled, and which I wished them all to share and enjoy. The difficulties produced in my mind by these considerations, were,

at the time, fully expressed to an officer of the fleet in whom I had great confidence. If I omitted to name Captain Elliot, or named him without credit, I might not only ruin that officer, but, at the same time, give occasion to animadversions which, at that period, I thought would be little to the honor or advantage of the service. If my official report of that transaction is reverted to, these embarrassments with respect to Captain Elliot, under which I labored in drawing it, will, I believe, be apparent. That report was very different from what had been expected by the officers of the fleet; but, having adopted the course which I thought most prudent to pursue with regard to Captain Elliot, I entreated them to acquiesce in it, and made every exertion in my power to prevent any further remarks on his conduct—and even furnished him with a favorable letter or certificate for the same purpose, of which he has since made a very unjustifiable use.

These, sir, are the reasons which induced me at the time not to bring on an inquiry into his conduct. The cause and propriety of my now doing so, will, I trust, require but few explanations. I would willingly, for my own sake as well as his, (after the course I had pursued for the purpose of shielding him,) have still remained silent; but this, Captain Elliot will not allow me to do. He has acted upon the idea, that by assailing my character he shall repair his own.

After he was left in the command on Lake Erie, I was soon informed of the intrigues he was there practising, some of which are detailed in these charges. These I should not have regarded as long as they were

private ; but I then determined and declared to many of my friends in the navy, that should Captain Elliot ever give publicity to his misrepresentations, I would then demand an investigation of the whole of his conduct. This necessity is now forced upon me.

Believing my hands to be bound, and even braving me with the very certificate afforded to him in charity, this officer at last addresses directly to myself, and claims my acquiescence in the grossest misrepresentations—not only of his own conduct on Lake Erie, but of conduct and declarations which he imputes to me.

Thus has Captain Elliot himself brought his own conduct on Lake Erie again into view, and, by involving with it imputations upon mine, has compelled me to call for this inquiry. He can make no complaint, therefore, of delay in bringing forward any of these charges. Those which regard his conduct on Lake Erie, and his justification, (if he has any,) are besides as perfectly susceptible of proof now as at any earlier period. Whatever the character of that behaviour was, it was witnessed by such numbers as to leave nothing in it equivocal or unexplained. Some of the officers who were with him may still be called upon, and although two or three others are deceased, yet so were they when Captain Elliot himself called for a Court of Inquiry. Certificates also were obtained from those officers by Captain Elliot while living, the originals of which are in the Department, and it may be seen by them that those officers, if present, would have no testimony to give which could

at all militate with these charges. There are as many officers deceased from whose testimony Captain Elliot would have much more to fear, than he would have to hope from that of the officers above alluded to. A Court of Inquiry consisting of three officers was once called at the request of Captain Elliot, in consequence (if I recollect rightly) of some allusions to the conduct of the Niagara, supposed to be contained in the British Commodore Barclay's report; and though that inquiry (of which no notice to attend as witnesses was given to any of the commanders of vessels on Lake Erie, (could only be a very limited one, and could involve no actual trial upon Captain Elliot's conduct, yet he undoubtedly had before that Court all such witnesses as could testify in his favor, and the record of that testimony (if any of those witnesses are deceased,) will avail him. Captain Elliot, therefore, can suffer nothing from the lapse of time, and it would indeed be a strong pretension in him to claim protection from inquiry into his conduct, at the same time that he is giving notoriety to his own representations of it, and that too to the prejudice of others.

I am, sir, fully sensible how troublesome the frequent examinations into the conduct of officers has been to the government, and how disagreeable they must have become. I am aware, also, that the public are justly dissatisfied with them, and that reproach has been brought upon the service by means of them. I have, therefore, avoided asking for this investigation as long

as I possibly could do so with any justice to the service, or to my own character.

I have the honor to be, Sir,

Your most obedient servant,

O. H. PERRY.

In consequence of the absence, upon the Mediterranean station, of a number of material witnesses, the Court of Inquiry asked for in this letter could not be convened till Perry sailed upon that cruise which terminated his life.

The following is the second charge with the specifications, preferred by Perry against Elliot.

“Conduct unbecoming an officer, and manifesting disregard of the honor of the American flag.

“*Specification.*—Because the said Captain Elliot, about the 1st of October, 1813, on board the gun boat Scorpion, commanded by Sailing-Master Champlin, then on Lake St. Clair, in the presence of said Champlin, intemperately and unjustly abused the said Captain Perry, his said commanding officer on Lake Erie, and expressly declared that he had had it in his power to destroy the fleet, and the said Perry with it, and he only regretted that he had not done so; and further there declared, that the officers and men of the Lawrence were not entitled to prize money, on account of the vessels of the enemy captured on Lake Erie, but that the officers and crews of the other vessels of the American fleet were entitled to prize money for the

recapture of the Lawrence. And because the said Captain Elliot did again, at Buffalo, in November and December, 1813, publicly express the same wish, that he had sacrificed the American fleet on Lake Erie, together with the said Captain Perry, its commander.

"Specification.—Because the said Captain Elliot, at Erie, on or about the 26th of October, 1813, declared in the presence of Dr. Wallace, of that place, that it would be a serious question between the two governments (meaning the American and British,) whether Captain Perry was not to be considered as a prisoner of war."

The fourth, fifth and sixth charges and specifications were as follows :

"That the said Captain Elliot, on the 10th of September, 1813, being then a Master Commander in the Navy of the United States, and commanding the United States brig Niagara, one of the American squadron on Lake Erie, did not use his utmost exertion to carry into execution the orders of his commanding officer to join in the battle on that day between the American and British fleets."

"Specification.—Because the American squadron having sailed, in search of the enemy, a few days previous, the following orders and instructions were issued by the commanding officer, viz.—1st, An order directing in what manner the line of battle should be formed ; the several vessels to keep within half cable's length of each other, and enjoining it upon the commanders to preserve their stations in the line, and, in

all cases to keep as near to the commanding officer's vessel, the *Lawrence*, as possible. 2d—An order of attack; in which order the *Lawrence* was designated to attack the enemy's new ship, (afterwards ascertained to have been named the *Detroit*,) and the *Niagara*, commanded by the said Captain Elliot, designated to attack the enemy's ship "*Queen Charlotte*;" which orders were then communicated to all the commanders, including the said Captain Elliot, who, for that purpose, and to receive further orders and instructions, were, by signal, called together by the said commanding officer, and all the said commanders, including the said Captain Elliot, were then, by the said commanding officer, expressly further instructed, that "if, in the expected engagement, they laid their vessels close along side of those of the enemy, they could not be out of their way." 3d—When coming into action, an order was passed, by trumpet, for the vessels astern to close up in the line; and, after the enemy had commenced firing, the signal was made, by the said commanding officer, for the fleet to come into action, each vessel against her opponent, as before designated; yet did he, the said Captain Elliot, notwithstanding said orders, and in violation thereof, keep his said brig, the *Niagara*, nearly a mile's distance astern of the *Lawrence*, and a still greater distance from the whole of the enemy's fleet, during more than two hours of the battle, although but a few moments before its commencement he was within hail of the *Lawrence*, and might with ease have followed that vessel into close action, instead of which he, the said Captain Elliot, failed to come into

close action and to engage the enemy's ship the Queen Charlotte, as he was bound to do by said order and by the example of the commanding officer's vessel, and did remain, during the whole period before mentioned, at such a distance from the enemy as to render all the guns of the Niagara useless, except two long ones, which, consequently, were the only guns fired from that vessel during all the said time, and by which, at so great a distance but little, if any, effect upon the enemy could be produced; of which misconduct and breach of orders the said Captain Elliot was guilty, without any necessity, cause, or excuse, his said vessel being, in all respects, in size, force, equipment and crew, and sailing, fully equal to the Lawrence and the ship he was ordered to engage; and, being also to the windward of the enemy, said vessel could not easily have been kept out of close action, unless the said Captain Elliot had, for that *purpose*, kept, as he did, her main topsail aback and her jib brailed up; by doing which, and by keeping the wind, instead of bearing down upon the enemy, he, the said Captain Elliot, finally carried his said vessel on the outside of the Lawrence and Caledonia, placing those vessels between him and the enemy, and was, when his said commanding officer went on board that vessel, keeping her on a course by the wind, which would, in a few minutes, have carried said vessel entirely out of the action, to prevent which, and in order to bring the said vessel into close action with the enemy, the said commanding officer was under the necessity of heaving to

and immediately wearing said vessel and altering her course at least eight points.

Charge 5th.—That the said Capt. Elliot, on the 10th Sept. 1813, being then commander of the U. States brig Niagara, one of the American squadron on Lake Erie, through cowardice, negligence, or disaffection, did not, in the action on said lake on that day between the American and British fleets, do his utmost to take or destroy the vessel of the enemy which it was his duty to encounter.

Charge 6th.—That the said Capt. Elliot, in said engagement on Lake Erie, on the said 10th of September, through cowardice, negligence, or disaffection, did not do his utmost endeavor to afford relief to the United States brig Lawrence.

Specification.—Same as to charges 4th and 5th, with the following addition :

In consequence of which conduct of the said Captain Elliot, the enemy's said ship the Queen Charlotte, was enabled to unite her force with that of the Detroit against the Lawrence ; instead of preventing which, or affording any assistance to said brig Lawrence, the said Captain Elliot left that vessel, her officers and crew, (eighty-three of whom were killed or wounded,) a sacrifice to the enemy, although his, the said Captain Elliot's vessel, remained perfectly uninjured, with not more than one or two of his men (if any) wounded, while Captain Elliot continued on board of her.

O. H. PERRY."

August 8, 1818.

The other charges preferred by Commodore Perry against Elliot, were, for unofficer-like and ungentlemanly conduct subsequent to the battle, in misrepresenting the events of the action, and attempting to exalt his own services and detract from those of others—falsely claiming to have been in close action, and assuming to himself the principal share of the victory—attempting, by unmanly means, to procure from the officers of the fleet, contrary to their opinion, certificates of his own good conduct, and endeavoring to obtain from British officers, prisoners under his charge, declarations favorable to himself—of unjust hostility towards those officers who had refused to give him certificates—falsely declaring that Perry, in despair, had thrown overboard his fighting flag, which had been picked up by another officer—of asserting that Perry, when he came on board the Niagara, was in despair and ready to surrender the fleet, and that it was through his firmness and perseverance the fight was renewed—and having brought great discredit upon the service by publicly expressing his regret that he had not sacrificed the fleet, and Perry with it, as he had had the power to do in the action.

Copy of Captain Daniel Turner's affidavit.

"In the battle of the 10th September, 1813, on Lake Erie, between the American squadron commanded by Commodore Perry, and the British squadron under Commodore Barclay, the action begun when the two squadrons were about a mile apart, by a firing commenced by the enemy ; the signal having been made

by Commodore Perry, for our vessels to engage as they came up, each against the enemy's vessels, as designated in previous orders, which made the Queen Charlotte the antagonist of the Niagara, commanded by Captain Elliot. It was understood by the American officers before the fight, that it was Captain Perry's intention to bring the enemy to close action as soon as possible. The Lawrence accordingly closed with the Detroit very soon. The Queen Charlotte made sail for the purpose of assisting the Detroit. The Niagara might have relieved the Lawrence from the Queen Charlotte's fire, if she had made proper exertions to bring her to close action ; but by keeping her maintopsail aback, and her jib brailed up, she kept at too great a distance from the enemy to do him any material injury, and sustained scarcely any herself, until the Commodore took command of her, who, immediately bore up and passed through the enemy's line, firing both his broadsides with such tremendous effect, as compelled him instantly to surrender.

It was the general opinion of the American officers, and expressed with much indignation, that Captain Elliot did not do his duty in the battle, as a gallant and faithful officer ; inasmuch as he did not bring his vessel, as soon as he might have done, into close action, which circumstance *only*, made the result of the battle for a short time doubtful. Soon after the victory, Captain Elliot's conduct was spoken of, as well in General Harrison's army, as in the fleet, with great disapprobation and censure. Captain Perry heard of it, and spoke to me of it one evening ; said that he was sorry

reports were in circulation so ruinous to Captain Elliot's reputation—wished they might be silenced, and desired me to go on shore to the camp, and do all that I could, with propriety, to counteract them—I did so accordingly the next morning. He said the American flag had gained much honor that day, and he wished all his companions in battle to share it with him. Several weeks after this, Captain Perry told me that Captain Elliot wished him to alter that part of his official report which stated that the Niagara did not, until a late period of the engagement, get into close action—and asked me whether I thought that part of his report incorrect, as it had been agreed to leave the question to be decided by two commissioned officers of the fleet, (Lieutenant Edwards, who was present, and myself being the officers selected,) I answered, I thought that part of his official report was entirely correct, to which Lieutenant Edwards assented.

Some time after, Captain Perry left the lake, and when the squadron was under Elliot's command, he applied to me and repeatedly urged me to give him a certificate respecting his conduct in the battle. He said his only reason for wishing one, was to have it in his power to calm his wife's uneasiness, who had heard that his conduct had been questioned ; and declared to me, upon his honor, that he would make no other use of it than as a means of relieving her unhappiness. Thus delicately and unpleasantly situated, I wrote such a certificate as I thought I might, for such an occasion, venture to give Captain Elliot.

DAN. TURNER."

Copy of the affidavit of Captain Thomas Holdup Stevens, commanding United States sloop Trippe, in the action of the 10th of September, 1813.

"When the American squadron had approached the enemy within about a mile, and the enemy had commenced firing, the signal was made by Commodore Perry, to *"engage as you come up, every one against his opponent, in the line as before designated;"* agreeably to this signal, the situation of the Niagara should have been abreast of the Queen Charlotte, and within half a cable's length. The *Lawrence* went gallantly into close action, and her example was followed by the *Caledonia*, Lieut. Turner; but the Niagara continued to hug the wind, and remained in the position she had taken at the commencement of the action till a few moments previous to Com. Perry's boarding her. There could not be any rational object in the Niagara's keeping at long shot with the Queen Charlotte, as the amount and description of their force was equal, and being principally carronades, no effect could be made by them at the distance Captain Elliot kept his ship. From the number of light sails the Niagara had, and there being a leading wind, Captain Elliot might, at any period of the action, have closed with the enemy, and relieved the *Lawrence* from the dreadful and destructive fire kept up upon her from the united forces of the *Detroit* and *Queen Charlotte*.

It was the general opinion of the officers and men of the squadron, that Captain Elliot did not do his duty in the action of the 10th of September; and that had he

been impelled by a becoming bravery, he would have made greater exertions to have taken an active part in the fight. Great irritation was produced in the fleet in consequence of it, and this opinion continued to be freely expressed till it was made known that Com. Perry was desirous of protecting Captain Elliot from the effects of such reports. Every exertion was made by Com. Perry to screen Captain Elliot from the injurious impressions made by his conduct : but the volunteers in the fleet did not pay the same regard to Com. Perry's wishes as was done by the officers ; and many of them having witnessed the conduct of Capt. Elliot, gave full expression to their feelings and opinions respecting him.

It was a received opinion in the fleet, that previous to Com. Perry's going on board the Niagara, she had but one man wounded, and that her opponent, the Queen Charlotte, from the account of the British officers, had suffered but very slightly previous to being engaged in close action with Com. Perry.

When the action closed, Captain Elliot was on board the Somers, and the accounts from that vessel were very unfavorable to Captain Elliot's bravery, as it was reported he beat the Captain of the gun very severely with a speaking trumpet, for having laughed at his dodging a shot which passed over him from the enemy.

(Signed)

THOS. HOLDUP STEVENS."

Copy of the affidavit of Captain Stephen Champlin, commanding the United States schooner Scorpion, in the battle of the 10th of September, 1813.

"In the action of the 10th of September, 1813, between the American squadron, commanded by Com. Perry, and the British, under Com. Barclay, on Lake Erie, when we were within the distance of a mile from the enemy, who had commenced firing, the signal was made by Commodore Perry, "*engage as you come up, every one against his opponent, in the line before designated.*" The situation of the Niagara should have been abreast of the Queen Charlotte, and of course as near as she could get, as previous to the action I had always understood from Commodore Perry that it was his intention to bring the enemy's fleet to close action in case of a conflict. The Lawrence went into close action in the most gallant style, followed by the Caledonia, under the command of Lieutenant D. Turner, who kept her in her station, agreeably to signals. The Queen Charlotte made sail and closed up with the Detroit shortly after the action commenced, and directed her fire at the Lawrence. The Niagara still continued to remain a long way astern, and firing at long shot; a short time before Commodore Perry's going on board of her, she ranged ahead of the Lawrence and to windward of her, bringing the Commodore's ship between her and the enemy, when she might have passed to leeward and relieved the Lawrence from their destructive fire. The wind being at that time south-east and the American squadron steering large, (with the exception of the Lawrence, she being at that time en-

tirely disabled and lying like a log upon the water,) the Caledonia took and maintained her station in the line, which was just astern of the Commodore during the whole of the action. It was the opinion of the officers and men of the squadron that Captain Elliot did not do his duty in the action on that day, and that had his conduct been that of a brave man, there is no possible reason that can be given why his vessel should not have been brought into close action with the British squadron, before Commodore Perry went on board of her.

Great indignation was expressed by the officers in general at the base conduct of Captain Elliot in neglecting to support the Lawrence as he ought to have done. But understanding that the Commodore desired to screen him, they forbore to make any remarks publicly upon his conduct. The volunteers in fleet, however, not being actuated by the same motives which induced those under Commodore Perry's command to remain silent, expressed their feelings without any reserve whatever. At the close of the action, Captain Elliot was on board of the Somers, and behaved (as was reported by the officers and crew of that vessel,) in a manner totally unbecoming an officer, by beating the captain of the gun severely with a speaking trumpet, for his laughing while he, Captain Elliot, dodged a shot.

On or about the 1st of October, 1813, while commanding the United States schooner Scorpion, on Lake St. Clair, Captain Elliot came on board : in the course of conversation the battle of Lake Erie being intro-

duced, he observed, " that the officers and men of the Lawrence, including Com. Perry, were by no means entitled to prize money ; and still further, that the other officers and men of the squadron were even entitled to prize money for her, she being a recaptured vessel." He also observed, that in the action he was so far from the enemy that he only fired his 12 pounders during two hours and a half ; the reason he assigned was, that he had no signal from the Commodore to change his situation ; complained much of Commodore Perry's injustice towards him, and said, "*He only regretted that he had not sacrificed the fleet when it was in his power to have done so, on that account.*" He also expressed sentiments to that effect frequently afterwards at Buffalo, as I was informed by the citizens, and Midshipman Senatt, who was present when the observations were made.

(Signed)

STEPHEN CHAMPLIN."

Copy of an affidavit of Thomas Breese, Esq. Purser U. S. N. who was stationed on the quarter-deck of the Lawrence during the action of the 10th of September, 1813.

" On the 10th of September, 1813, the action on Lake Erie commenced by firing from the enemy's flag-ship, on the Lawrence, about the distance of a mile. The signal was previously made by Commodore Perry, for our vessels to engage as they came up, each against his opponent in the British line, designated by the order of

battle, which made the ship *Queen Charlotte* the antagonist of the *Niagara*, commanded by Captain Elliot ; it being understood by the commanders of the American vessels, that it was the intention of Commodore Perry to bring the enemy to close action as soon as possible. The *Lawrence* immediately closed with the *Detroit*, and her example was gallantly followed by the *Caledonia*, Lieutenant Turner, the *Scorpion*, and *Ariel*. Shortly after the commencement of the battle, the enemy's ship, *Queen Charlotte*, made sail and passed ahead of the opponent of the *Caledonia*, and opened a destructive fire on the *Lawrence*, in conjunction with the *Detroit* ; but the *Niagara*, from some mysterious cause, remained in the position she held at the commencement of the action. The conduct of Captain Elliot, in thus keeping his vessel out of close action, was evidently the cause of the great length of time the action lasted, and made the result for a time, doubtful. When the *Niagara* passed to windward of the *Lawrence*, she appeared to have sustained little or no injury. After the action closed, the censure on the behavior of Captain Elliot was general and severe, not only by the officers of the *Lawrence*, but those of the small vessels ; so much so, that the officers did not hesitate to say, that Captain Elliot must have been actuated by cowardly or ambitious motives, until it was made known, through Lieutenant Turner, that it was the wish of Commodore Perry to suppress any reports prejudicial to Captain Elliot. In conversation with some of the British officers, some time after the action, I heard them give as a reason for the *Queen Char-*

lotte's changing her position and firing upon the Lawrence, was in consequence of the Niagara, Captain Elliot, being at so great a distance, that the short guns of their vessels could not be used with effect. It was reported, that Captain Elliot, at the close of the action, behaved in an unofficer-like manner on board the schr. Somers, by beating a captain of a gun with a trumpet, for laughing as he dodged a shot which passed over him from the enemy. It was the received opinion in the fleet, that the Niagara had but one or two men wounded, on board of her, when Commodore Perry took the command, and that she had sustained but slight injury previous to that time. I frequently heard, after Commodore Perry left the station, that Captain Elliot, then in command, had circulated reports, among the citizens as well as officers, respecting the conduct of Commodore Perry immediately after he got on board the Niagara, which were calculated to injure Commodore Perry, and were honorable to himself.

(Signed)

THOS. BREESE."

Copy of the affidavit of Captain Thomas Brownell, Sailing Master of the United States schooner Ariel, in the action of the 10th of September, 1813.

"In the action on the 10th of September, 1813, between the American squadron, commanded by Commodore Perry, and the British, under Commodore Barclay, on Lake Erie, when we were about a mile distant from the enemy, he commenced firing. The signal was made by Commodore Perry, "*Engage as you come up,*

each vessel against her opponent, as previously designated." The situation of the Niagara should have been abreast of the Queen Charlotte, and as near as she could get; as previous to the action, I had always understood that it was Commodore Perry's intention to bring the enemy to close quarters as soon as possible in case of an action.

The Lawrence went gallantly into close action, but the Niagara continued to keep at a much greater distance astern than when the action commenced.

The Queen Charlotte made sail soon after the action began, and closed with the Detroit, for the purpose of directing her fire at the Lawrence in conjunction with the Detroit. The Niagara, by backing her maintop-sail and brailing up her jib, was not enabled to fire but at long shots, with her bow guns, for a long time during the action. A few minutes before Commodore Perry went on board the Niagara, she ranged ahead of the Lawrence and to windward of her, bringing the Commodore's ship between her and the enemy, when it was in Captain Elliot's power to have passed to leeward and relieved the Lawrence from the destructive fire of the Detroit and Queen Charlotte, the wind being at that time southeast and the American squadron steering large, with the exception of the Lawrence, she being at that time entirely disabled and unmanageable. It was the opinion of the officers and men of the squadron, that Captain Elliot did not do his duty on the 10th of September, and that, had his conduct been that of a brave man, there is no possible reason that can be given why his vessel was not brought into close action

with the British squadron long before Commodore Perry went on board of her, she being equal in point of sailing with the *Lawrence*. Great indignation was expressed by the officers in general at the base conduct of Captain Elliot in neglecting to support the *Lawrence*; but understanding from Lieutenant Turner that Commodore Perry wished to screen Captain Elliot, we forbore to make any remarks publicly on his conduct. The Volunteers, however, not being actuated by the same motives that induced those under the command of Commodore Perry to remain silent, expressed their feelings without any reserve whatever. At the close of the action, Captain Elliot was on board of the schooner *Somers*, and behaved, as I am told by the officers of that vessel, in a manner altogether unbecoming an officer, by beating a captain of a gun severely with a speaking trumpet for laughing when he (Captain Elliot) dodged a shot.

He also arrested the commanding officer of that vessel (Sailing Master Almy) for intoxication, and I have frequently been informed, by the officers and men of that vessel, that he was in a perfect state of sobriety, and did every thing that a brave man could do to destroy the enemy. I was ordered to that vessel a few hours after the action and found him perfectly sober, but his feelings much wounded by Captain Elliot's false report. I was told by Lieut. Champlin and others, that Captain Elliot said he regretted he did not sacrifice the American fleet, and that it was decidedly in his power to have done so. Captain Elliot applied to me for a certificate of his conduct in that action; I

told him I could not say any thing in his favor, and that I stood ready at any time to give my sentiments before a court of investigation. After the action, I was on board the *Caledonia*, when *Captain Bignall, of the British navy*, remarked, that had Captain Elliot belonged to the *British navy*, he would have been hanged.

Mr. Magrath, who signed a letter prejudicial to the character of Captain Perry, told me he would sacrifice his right arm if he could withdraw his name from that paper.

(Signed)

THOMAS BROWNELL.

*Copy of the affidavit of Captain William V. Taylor,
Sailing Master of the United States brig Lawrence,
in the action of the 10th of September, 1813.*

I am requested to state such facts as came within my knowledge relating to the battle on Lake Erie, on the 10th of September, 1813, at which time I was Sailing Master on board the *Lawrence*. Our squadron was then lying in Put-in-Bay, with some small islands, of which Snake Island was the chief, to the leeward. At day light, the enemy's squadron was discovered in the N. W. from the mast head of the *Lawrence*; when Commodore Perry immediately ordered the signal made to get under way. After we had got under way, he asked me if I thought we should be able to work out to windward of the islands in time to gain the weathergage of the enemy. I replied, that I did not think we could, the wind then being at S. W.

and light. The Commodore then said he would wear ship, and go to leeward of the islands, as he was determined to bring the enemy to battle that day, even if he gave them the weathergale. The wind, however, at this time hauled to the southward and eastward, and enabled us to clear the islands, and keep the weather gage. At 10 a. m. the enemy, despairing of gaining the wind, hove to in line, with their heads to the westward, at about three leagues distance; the wind then about S. E. and a light breeze. The signal to prepare for action was made from the Lawrence, at a quarter before meridian. The enemy's flag ship fired a single shot at the Lawrence. *Signal was made for each vessel to engage her opponent, as designated in previous orders; which made the Lawrence opposed to the enemy's new ship Detroit, and the Niagara to the Queen Charlotte. Commodore Perry then ordered the word passed by trumpet, through Captain Elliot, for the American squadron to close up, as before prescribed, which was at half cable's length distance.* At meridian, finding the enemy within reach of our carronades, opened our fire, and continued nearing them until within canister range, and were gallantly supported by the Caledonia, Lieutenant Turner, and by the Ariel and Scorpion, both on our weather bow. Shortly after the action commenced, I observed the Niagara to be a considerable distance astern, *with her main topsail to the mast, and her jib brailed up: and I am strongly impressed with the belief, that her top gallant sails were never set until Com. Perry went on board of her, after the Lawrence had been disabled.* Once or twice dur-

ing the engagement, I asked Captain Perry if he observed the conduct of that ship, and the different conduct of the Caledonia. The enemy's ship, Queen Charlotte, taking advantage of the great distance at which the Niagara kept herself, closed with the Detroit, and opened her fire in concert with that ship upon the Lawrence, which proved so destructive that, by half past one o'clock, p. m., we were completely disabled, and our decks covered with killed and wounded : but the animating exertions of Captain Perry kept alive the spirits of the small remnant of our crew, and the action was continued until only one gun could be fired, at which Captain Perry assisted himself. He then determined to quit the Lawrence, and take command of the Niagara, which ship he observed did not appear to be much injured. The American flag, he said, should not be hauled down from over his head on that day. At the time of Captain Perry's leaving the Lawrence, the Niagara was passing our larboard beam, at from a quarter to half a mile's distance ; leaving the Lawrence between that ship and the enemy. The Caledonia at the same time passing our starboard beam, and between us and the enemy. I anxiously watched the course of our noble commander, after he left the Lawrence for the Niagara. The enemy had discovered his design, and directed their fire at the boat he was in. He however remained standing up in her stern, until the entreaties of the men prevailed upon him to sit down. I learnt afterwards, that they had implored him with tears not to expose himself as a mark for the enemy's fire ; and finally de-

clared, that they would lay on their oars, unless he sat down. It was a considerable time, with all the exertions of the boat's crew, before Captain Perry could come up with the Niagara. When he did get on board that ship, he immediately brought her into action ; and passing through the enemy's squadron, poured into them a tremendous fire from both sides. In a few minutes, the enemy's vessels surrendered to him, and struck their colors, except two small vessels, which attempted to escape, but were pursued and captured.

I had assisted in the equipment of the Niagara, as well as the Lawrence. The former ship was in all respects fully equal to the latter, in size—in number, weight, and description of guns—in rigging and equipment, and in point of sailing. Before Captain Elliot arrived on Lake Erie, the Niagara was commanded by Lieutenant Turner, and the squadron had already been out one cruise, manned chiefly with volunteer militia. Captain Elliot brought up with him from Ontario from 90 to 100 prime men ; the chief part of which he took on board the Niagara, which ship was much better manned than the Lawrence ; a great proportion of whose crew was on the sick list, and most of the remainder not effective men ; consisting chiefly of volunteer militia of all descriptions, and exhausted by previous exertions. I was on board the Niagara, when Captain Elliot took command of her, and when that part of her crew which came from the Ontario first came on board, and I observed that as they came alongside in their boats, he called out from among them the men previously designated for the different posts and

stations about the ship and tops ; so that it appeared that his men were already selected. This occasioned my observing to Commodore Perry, that the different vessels of the squadron were very unequally manned, in consequence of so great a proportion of the effective men being engrossed by the Niagara alone. He did not think proper, however, to make any alteration. All necessary orders previous to the engagement were distinctly given in writing, and put into the hands of each commander : and the last words of Commodore Perry, to all the officers assembled on the eve of the battle, (as was related to me at the time) were, that he could not advise them better than in the words of Lord Nelson—" *If you lay your enemy alongside, you cannot be out of your place.*" After the firing had commenced on the part of the enemy, at about a mile's distance, Commodore Perry gave an order by trumpet for the vessels astern to close up in the line. *The Niagara was then near enough to the Lawrence to receive and pass this order.* I do not think she was, during the engagement, much nearer to the enemy than she then was, until brought into action by Commodore Perry. It was generally understood, that one or two only of her men had then been wounded. If it had been the desire of the commander of the Niagara to have joined in the action, and engaged the Queen Charlotte, as ordered, I know of no cause which could have prevented his so doing. *The wind, though light, was favorable, and there was as much of it for the Niagara as for the Lawrence.* It was the general opinion of the officers after the battle, that had the Niagara followed the example

of the Lawrence, the enemy would have been compelled to surrender in a much shorter time, and with much less loss on our side. So much indignation was excited by the conduct of the Niagara, that even the seamen broke out in open murmurs : but Commodore Perry requested the officers to silence every complaint against Captain Elliot, saying, that sufficient honor had been gained for all ; and he was desirous that the public attention might not be attracted to any differences in the fleet. His official account, when read at Erie, gave much dissatisfaction to most of the officers. They thought Captain Elliot too honorably mentioned in it.

(Signed)

W. V. TAYLOR.

Letter of Dr. Usher Parsons, to Dr. C. G. Perry, son of the late Commodore Perry, who requested from him an account of what occurred in the Surgical Department of the battle, and who has obligingly permitted us to insert it.

The crews of the nine vessels consisted of about six hundred officers and men. They left Erie four weeks previous to the action, in good health, but were soon visited by a bilious fever, which spread through the fleet, attacking from twenty to thirty in a day. It was of short duration, and in one instance only proved fatal. So rapid were the recoveries, that of more than two hundred cases, only seventy-eight were reported unfit for duty on the day previous to the action.

Thirty-one of these were on board the *Lawrence*, and nearly the same number on board the *Niagara*—their whole crews exceeding one hundred and thirty persons each.

There were three medical officers attached to the fleet, viz. Dr. Barton, Surgeon of the *Niagara*, Dr. Horsely, Surgeon of the *Lawrence*, and myself, Surgeon's Mate. The sick of the seven smaller vessels were placed under the sole charge of the Surgeon's Mate.

Among the sufferers from fever were all the medical officers. The Surgeon's Mate, being first attacked, was convalescent and on duty before the others were disabled, and for some days previous and subsequent to the battle, had sole charge of the sick of the fleet, including the two Surgeons.

The enemy's fleet was discovered from the mast head at 5 o'clock, a. m., and at 7, all the vessels could be seen from the deck. At 9, began the busy scene of casting loose guns, drawing around them supplies of balls, grape and canister, arranging pikes and cutlasses, and girding on pistols for boarding, hammering flints, and lighting matches. Mutual requests passed between individuals, for the survivor to notify the friends of the non-survivor and to take charge of his effects; and the Commodore handed to the Surgeon a package of papers, inclosed in lead, to be thrown overboard in the event of his falling.

The shallowness of the vessels allowing no place of security for the wounded, they were received upon the wardroom floor, which was on a level with the surface

of the water, and about ten feet square. The hatchway leading from this room to the deck was closed, leaving a small aperture for passing cartridges through from the magazine to the deck. Men were stationed forward at the main hatchway to receive the wounded and pass them through the steerage to the wardroom, and to take them again from the Surgeon forward to the berth deck.

At 10 o'clock, martial music struck up the thrilling sound of "*all hands to quarters!*" The fighting flag was then displayed at mast head, and the valor and patriotism of the crew appealed to by the Commodore, which they responded to with three hearty cheers.

A breathless stillness now reigned through the ship, more dreary below deck from the dim twilight of the apartment. The dread scene too, so near at hand, was painted by the imagination in horrid forms, yet mingled with buoyant hopes of victory and of again seeing home and kindred. But the scene changed. Suddenly we were roused from a long reverie of foreboding suspense, by the electrifying sound of the enemy's cannon; and soon followed the deafening thunders of our own broadsides—the crash of balls hulling our bulwarks, and the shrieks of the wounded upon deck!

The wounded poured down so fast that nothing further was attempted for them during the battle, than securing bleeding arteries and applying splints to shattered limbs, and severing from the body such limbs as hung by small portions of flesh. Several after receiving this treatment were again wounded; a young officer while moving from me with a tourniquet on the

arm, received a cannon ball in the chest; and a seaman with both arms fractured was afterwards killed by a cannon ball.

The battle raged with great fury; and in an hour and a half, had so far swept the decks that new appeals for surgical aid were less frequent, a remission at this time most welcome, as the repeated request of the Commodore to spare him another man, had taken the last one stationed to assist in moving the wounded; and it is worthy of record, that several of the wounded, themselves, crawled upon deck at this critical period, to lend a feeble hand at the guns.

But our prospects continued to darken; every new visiter from the deck bringing tidings still more dismal than the last, till finally it was announced that we had surrendered. The effect of this upon the wounded was overwhelming. Medical aid was rejected, and little else could be heard, than, "sink the ship; let us all sink together."

This state of despair, was, however, short. The Commodore was still unhurt—had gone on board the Niagara, and with the small vessels bearing down upon the enemy, soon brought down the flags of their two heaviest ships, which changed the horrors of defeat into shouts of victory.

But all the wounded were not permitted to mingle in the joy. The gallant Brooks, and some others, were no more.* They were too much exhausted by their

* I stated in an affidavit some years since, that the wounded, from the first of their coming down, complained that the Niagara did not come to her station and close with the Queen

wounds to survive the tumultuous scene that immediately preceded this happy transition.

The action terminated shortly after three o'clock ; and, of about one hundred men reported as fit for duty in the morning, twenty-two were found dead and sixty-one wounded. The wounded arteries occupied my first attention ; all which, except where amputation was required, were rendered secure before dark. Having no medical assistant, I deemed it safer to defer amputations till morning, and in the meantime suffered the tourniquets to remain on the limbs. Nothing more was attempted during the night, than to administer opiates and cordials, and preserve shattered limbs in a uniform position. At daylight a patient was on the table for an amputation ; and at eleven o'clock, all amputations were finished. The impatience of this class of wounded to meet the operation, made it necessary to take them in the order in which they fell. The other wounded occupied my attention till midnight.

The day following, I visited the wounded of the Niagara, who had lain till that time (48 hours) with their wounds undressed. The Surgeon was sick in bed, with hands too feeble to execute the dictates of a feeling heart. Twenty-one wounded were mustered, all of whom, that required surgical aid, were taken on board the Lawrence, now used as a hospital ship for the wounded of the whole fleet. The officers of the Niagara afterwards sent me the names of four more wound-

Charlotte, although ordered to do so by signal. This complaint I well remember, was frequently repeated by the officers, and in such terms as will never be forgotten.

ed, who were absent from the ship on duty when I was on board, which increased her whole number to twenty-five, as reported in the official account. It was ascertained by inquiry, that only two of them were wounded before Perry came on board the Niagara. The whole number killed was two, as officially reported by her commander to the Commodore.

I am the more particular here, because it has been stated in an affidavit sent to Captain Elliot in 1821, by the Surgeon of the Niagara, "that the exact number, including those dangerously wounded, was twenty-seven, and the slight cases not reported must have amounted to six or eight more—that five were killed during the action, and a few died soon after."*

This intelligence from his Surgeon must have been new and unexpected to Captain Elliot, as it was never heard of in the fleet during the subsequent *year* of its

[* The publisher has seen the affidavit alluded to, of Dr. Barton, and also an attempt, by Captain Elliot, or some anonymous writer in his service, to array it against the statement of Dr. Parsons, relative to the number of killed and wounded on board the Niagara. But Dr. Barton's sickness at the time, must excuse his ignorance of the fact, that the official list of killed and wounded in each vessel was made out and certified to by their respective officers. That the reader may be enabled to determine whether Dr. Barton's or Dr. Parsons' statement is most to be relied on, we here subjoin an extract of a letter, written shortly after the battle, by Commodore Perry to the Secretary of the Navy, respecting the services of the medical officers.

"Of Dr. Parsons, surgeon's mate, I cannot say too much. In consequence of the indisposition of both surgeons, Drs. Horseley and Barton, the duty of operating, dressing, and attending a hundred wounded, and as many sick, devolved entirely on him; and it must be pleasing to you, sir, to reflect, that of the whole number, only three have died."]

sailing on the lake, and is at variance with the report of the officers of the Niagara who furnished the names of the wounded at the time, whilst the Surgeon was sick in his hammock.

TOTAL LIST OF KILLED AND WOUNDED IN THE FLEET.

Lawrence,	22 killed,	61 wounded.
Niagara,	2 “	25 “
Caledonia,		3 “
Somers,		2 “
Ariel,	1 “	3 “
Trippe,		2 “
Scorpion,	2 “	
Total,	27 “	96 “

Killed in the British vessels 41, wounded 94.

Of the whole number wounded in the American fleet, three died. The recovery of so large a proportion, is in some measure attributable to their being abundantly supplied with fresh provisions and pure water, to a pure atmosphere under an awning upon deck, to the cheerful state of mind occasioned by victory, and to the devoted attention of the Commodore to every want.

The following is an extract of a private letter from an officer of the United States Navy, who was an eyewitness of the scene described :

October 7, 1813.

“Had I been able, I should before now have sent you some particulars of the action of the memorable 10th of September. As we have not many letter writers in our squadron, the public will have to put up

with the Commodore's 'round, unvarnished tale ;' which, however, is very well told. All the fault I find with it is, that he himself is too much in the back ground.

" In no action fought this war has the conduct of the commanding officer been so conspicuous or so evidently decisive of the fate of the battle, as in this. When he discovered that nothing further could be done in the *Lawrence*, he wisely removed to the *Niagara*, and by one of the boldest and most judicious manœuvres ever practised, decided the contest at once. Had the *Niagara* shared the fate of the *Lawrence*, it was his intention to have removed to the next best vessel, and so on as long as one of his squadron continued to float. The enemy saw him put off, and acknowledged that they fired a broadside at him. With his usual gallantry he went off standing up in the stern of the boat ; but the crew insisted on his sitting down. The enemy speak with admiration of the manner in which the *Lawrence* bore down upon them. She continued her course so long and so obstinately, that they thought we were going to board them. They had a great advantage in having long guns. Many of our men were killed on the berth deck and in the steerage, after they were taken below to be dressed.—Midshipman Laub was of this number. One shot went through the light room, and knocked the snuff of the candle into the magazine—the gunner happened to see it immediately, and extinguished it with his hand : 2 shot passed through the magazine ; 2 through the cabin ; 3 or 4 came into the ward room—but I believe only one went quite through,

and that passed a few inches over the surgeon's head as he sat in the cockpit. Our short guns lodged their shot in the bulwarks of the *Detroit*; where a number of them now remain. Her bulwarks, however, were vastly superior to ours, being of oak, and very thick. Many of their grape shot came through ours. They acknowledge that they threw combustible matter on board of us, which set our sails and rigging on fire in several places. I am clearly of opinion, that they were better manned than we were. They had a much greater number—they had veteran troops—their men were all well. We had as motley a crew as ever went into action; and our vessels looked like hospital ships."

Letter from Captain Elliot to Captain Perry. [No date.]

SIR: Communications which have recently been made me, and exact copies of which I herewith enclose you, render it necessary that I should hear from you immediately. As soon as I heard of your late visit to Washington, I lost no time in hurrying off from this place, with a hope that we should meet and settle those differences which have so long existed; your sudden, and to me unexpected, departure from that city, prevented the contemplated meeting; and my orders to sit on a Court Martial, in Baltimore, which detained me from this place longer than I at first expected, has induced me to return to Virginia, and instead of the personal interview, which had alone carried me from home, and which I had so anxiously hoped for would take place, now compels me to address you at a mo-

ment when I might seem if prompted by the late public investigation of your Mediterranean command.

The wrongs which I have suffered are many; and after taking a retrospect of all the transactions connected with our affairs which have been made public, I am at a loss to know how it was possible you could have made such representations as are contained in the certificates herewith enclosed. Immediately after the action on Lake Erie, you must recollect, that reports prejudicial to my character were put in circulation; when I called on you for a written contradiction of them, (your answer, I presume, is in your possession) you say in your letter, "You have no fault to find with myself, officers, and crew—compliment me by saying, you are indebted in a great measure, for the victory, to my bringing the small vessels into close action," and conclude, with a positive assertion, that the Niagara would, from her superior order, have taken the Queen Charlotte in twenty minutes, had she not made sail and engaged the Lawrence.

What, sir, has since occurred, to draw from you such base, false, and malicious reports, as contained in the certificates enclosed? I will conclude my remarks with one or two observations, and permit you to draw such inferences as your feelings of honor may dictate; hoping, that you will never again have occasion, either in the society of the ladies, or that of young navy officers, to make use of expressions of a similar nature, and which, too, intended to my injury. Pray, sir, has your memory been so treacherous, as to fail recollecting an interview at Erie, and that you then said, "if I

would not dwell on the action, that you would write a private letter to the Hon. Secretary of the Navy, and express your surprise that the country did not give me half the honor in the victory ? With proper respect,
J. D. ELLIOT."

Commodore Perry's reply to Captain Elliot.

NEWPORT, (R. I.) June 18, 1818;

SIR : The letter which I have lately received from you has evidently been written for the purpose of being exhibited to your friends, and in the hope that, passing without reply, it might gain credit among those upon whom you have been long in the habit of practising similar impositions. You had much reason, sir, to indulge in such a hope.

It is humiliating to be under the necessity of replying to any letters written by a person who so little knows what becomes a gentleman. I must not, however, permit you to derive from my silence any countenance to the gross falsehoods contained in your letter, and which it would be an affectation of decorum to call by any other name; such particularly, is the absurd declaration you impute to me in the close of it, and the perverted account you give of the manner in which I was once induced to write a letter in your favor. How imprudent, as well as base, it is in you, by such misrepresentations, to reduce me to the necessity of reminding you of the abject condition in which I had previously found you, and by which I was moved to afford you all the countenance in my power; sick (or pretending to be sick) in bed, in consequence of dis-

tress of mind, declaring that you had missed the fairest opportunity of distinguishing yourself that ever man had, and lamenting so piteously the loss of your reputation, that I was prompted to make almost any effort to relieve you from the shame which seemed to overwhelm you. This, you very well know, was the origin of the certificate I then granted you; and that your letter to me, (of which you once furnished a false copy for publication, and which you now represent as making a *demand* upon me,) was merely an introduction to mine. Another motive I had which you could not appreciate, but which I urged with success on the other officers: it resulted from a strong, and I then hoped, pardonable, desire that the public eye might only rest upon the gallant conduct of the fleet, and not be attracted to its blemishes, as I feared it would be by the irritation excited by your conduct among the officers and men, most of whom, I hoped, had acquired sufficient honor to gratify their ambition, even should that honor be shared by some one who might less deserve it.

The expressions stated in your two certificates to have been made use of by me, when speaking of your unmanly conduct, were probably the most lenient I have for a long time employed when called upon to express my opinion of you; and, thoroughly known, as you must be conscious your character is to me, it was quite needless for you to have procured certificates of the contempt with which I have spoken of you. You might readily, however, have furnished much more ample ones, and of a much earlier date, than those it has suited you to produce; for you allowed but little time to

elapse, after receiving the benefits of my letter, before your falsehoods and intrigues against me made me fully sensible of the error I had committed in endeavoring to prop so unprincipled a character.

If it be really true that you hurried to Washington for the purpose of inviting me to a meeting, it is indeed unfortunate that intentions for which you give yourself so great *credit* have evaporated in a pitiful letter, which none but a base and vulgar mind could have dictated. The reputation you have lost is not to be recovered by such artifices; it was tarnished by your own behavior on Lake Erie, and has constantly been rendered more desperate by your subsequent folly and habitual falsehoods. You cannot wonder at the loss: that reputation which has neither honor nor truth, nor courage for its basis, must ever be of short duration. Mean and despicable as you have proved yourself to be, I shall never cease to criminate myself for having deviated from the path of strict propriety, for the sake of screening you from public contempt and indignation. For this offence to the community I will atone, in due time, by a full disclosure of your disgraceful conduct. But that you, of all men, should exultingly charge me with an error committed in your favor, and by which you were (as far as a man in your situation could be) saved from disgrace, is a degree of turpitude of which I had before no conception. O. H. PERRY.

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John C. Smith